

*Barbara Grattan,
Town Clerk*

**TOWN BOARD MEETING
AGENDA
MARCH 20TH, 2001**

ROBERT F. KOZAKIEWICZ, Supervisor

**Edward Densieski, Councilman
Philip Cardinale, Councilman**

**Christopher Kent, Councilman
James Lull, Councilman**

**Barbara Grattan, Town Clerk
Dawn Thomas, Town Attorney**

ELECTED OFFICIALS

**Laverne Tennenberg
Madelyn Sendlewski
Paul Leszczynski
Mark Kwasna
Diane M. Stuke
Richard Ehlers
Allen M. Smith**

**Chairwoman Board of Assessors
Board of Assessors
Board of Assessors
Highway Superintendent
Receiver of Taxes
Town Justice
Town Justice**

DEPARTMENT HEADS

**John J. Hansen
Leroy Barnes
Andrea Lohneiss
Ken Testa
Richard Hanley
Chief Joseph Grattan
Jane Vanden Thoorn
Judy Doll
John Reeve
Michael Reichel
Gary Pendzick**

**Accounting Department
Building Department
Community Development
Engineering Department
Planning Department
Police Department
Recreation Department
Senior Services
Sanitation Department
Sewer District
Water Department**

Call to Order and Salute to the Flag

Approves Minutes of Town Board Meeting of March 6th, 2001,
moved by Councilperson _____, seconded
by Councilperson _____.

REPORTS

Tax Receiver: Total Collections to date: \$36,140,589.33.
Juvenile Aid Bureau: Monthly Report for February, 2001-03-16.
Farmland Select and Open Space Committee: Annual Report for 2000.
Wading River Fire Dist: Annual report for the 2000.

APPLICATIONS

Site Plans: Kamco Supply Corp. Modified Site Plan
VerDerBer's Nursery-Addition

CORRESPONDENCE

COMMITTEE REPORTS

PUBLIC HEARINGS

2:05 p.m. The Special Permit Petition from Sound Housing, LLC (Willow Ponds on the Sound).

2:10 p.m. The Consideration of a Local Law to amend Chapter 101 of the Riverhead Town Code.
Section 101.3 Stop and yield intersections; railroad crossings,
Parking fields.

<u>Intersection</u>	<u>Stop Sign On</u>	<u>Entrance From</u>
Middle Road	Roanoke Avenue	South
Middle Road	Roanoke	North

Riverhead Development Corporation Meeting:

- #1** Election of Director
- #2** Election of Director
- #3** Election of Director

Community Development Agency:

CDA

- Res. #8** Authorizes the Supervisor to Execute Contract Between Riverhead Community Development Agency and Great Northeast Productions, Inc. ("GNP")

Regular Town Board Meeting:

- 281** Authorizes the Supervisor to Execute Contract between Riverhead Community Development Corp. and Great Northeast Productions, Inc. ("GNP")
- 282** Adopts a Local Law to Amend Chapter 101 Entitled, "Vehicles & Traffic" of the Riverhead Town Code
- 283** Approves Temporary Sign Permit of QuikConnex
- 284** Approves Temporary Sign Permit of Marquee Cinema
- 285** Increase and Improvements of the Facilities of the Riverhead Water District in the Town of Riverhead
- 286** Sets Administration Fee for Chapter 54 and Chapter 96
- 287** Approves Modified Site Plan of Kamco Supply Corporation
- 288** Rejects Bids- Security, Fire and Telemetry Control Systems- Riverhead Sewer District
- 289** Authorizes Town Clerk to Advertise for Bids- Security, Fire and Telemetry Control Systems- Riverhead Water District
- 290** Authorization to Publish Bid for Water Service Materials
- 291** Authorization to Publish Bid for Janitorial Supplies
- 292** Authorization to Publish Bid for Grass Seed & Lawn Chemicals
- 293** Authorization to Publish Bid for Chemicals
- 294** Awards Bid for Construction of Plant No. 12- Contract No. 1 Well & Well Pump Work, Contract No. 2- General Construction & Mechanical, Contract No. 3- Electrical Work

- 295 Awards Bid for Mobile Electro-Hydraulic Jacks
- 296 Awards Bid for Snack Vendor Services
- 297 Awards Bid for Propane
- 298 Suffolk Theater Curbs and Alleyway Improvement Budget Adjustment
- 299 Municipal Garage Renovation Project Budget Adoption
- 300 General Fund Budget Adjustment
- 301 Tall Tree Acres @ Wading River Water Ext. Budget Adjustment
- 302 Riverhead Sewer District Budget Adjustment
- 303 Special Trust Budget Adjustment
- 304 2001 Recreation Capital Improvement Project Budget Adoption
- 305 Children's Playground at Stotzky Park Capital Project Budget Adjustment
- 306 Accepts a Certificate of Deposit for Edward A. Meier
- 307 Accepts Cash Security Deposit for Front & Center Properties
- 308 Accepts S.C.N.B. Irrevocable Letter of Credit of Zoumas Contracting Corp. (Road & Drainage Improvements – "The Meadows at Aquebogue")
- 309 Authorizes Town Clerk to Publish and Post Notice of Public Hearing – Special Permit of John & Sandra Reeve (Bed & Breakfast)
- 310 Authorizes Town Clerk to Post and Publish Public Notice for Public Hearing Regarding a Local Law to Repeal and Replace Chapter 64 (Fire Prevention) of the Riverhead Town Code
- 311 Authorizes Attendance of One Detective at Training Conference
- 312 Authorizes the Supervisor to Execute Retainer Agreement with James F. Gesualdi
- 313 Authorizes the Retention of Dvirka and Bartilucci, Consulting Engineers in Connection with Headriver, LLC (Review of DEISO)
- 314 Approves Municipal Contracting Corporation as Drainlayer for Riverhead Sewer District

- 315 Amends TBR #30-2001 (Sets Towing and Storage Fees of Abandoned Vehicles)
- 316 Authorizes the Establishment of a Petty Cash Account for the Riverhead Justice Court
- 317 Authorizes Town Clerk to Publish and Post Public Notice to Consider the Purchase of Development Rights of a Parcel(s) Located in the Town of Riverhead (Vernon F. Wells, Jr.)
- 318 Authorizes the Supervisor to Execute an Agreement Between Town of Riverhead and Fundamental Business Service, Inc. ("FBS")
- 319 Pays Bills
- 320 Authorizes Town Clerk to Publish and Post Public Notice of Public Hearing to Consider the Capital Improvements to the Suffolk Theater

Riverhead Development Corporation Members

Adopted

04/03/01

Resolution # 1

Election of Directors

Tabled

03/20/01

Member COUNCILMAN DENSIESKI offered the following resolution,

which was seconded by Member COUNCILMAN LULL

WHEREAS, the RDC was established for the purpose of marketing and managing the Calverton Enterprise Park on behalf of the Community Development Agency, designated on owner of said property pursuant to Public Law 103-c337; and

WHEREAS, the Riverhead Town Board, as it shall be comprised from time to time, serves as the members of the Corporation; and

WHEREAS, pursuant to the Bylaws of the RDC the Directors shall be elected by the Members of the RDC at its annual meeting; and

WHEREAS, the annual meeting of the RDC Members was convened on March 15, 2001 for the purpose of election of Directors; and

WHEREAS, the election was postponed in order to consider new nominations to the Class of 2004.

THEREFORE, BE IT RESOLVED, that the RDC Members hereby reelect Steven Patterson to the Board of Directors of the RDC for a term to begin immediately and ending at the Annual Meeting of the Members in 2004.

BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Director Andrea Lohneiss.

The Vote:

Member Densieski	_____
Member Cardinale	_____
Member Kent	_____
Member Lull	_____
Chairman Kozakiewicz	_____

THE VOTE

Densieski Yes ___ No ___ Cardinale ___ Yes ___ No

Kent ___ Yes ___ No ___ Lull Yes ___ No

Kozakiewicz Yes ___ No

THE RESOLUTION WAS **WAS NOT** _____

THEREUPON DULY ADOPTED

APRIL 3, 2001-Town Board Meeting:

COUNCILMAN DENSIESKI OFFERED THE RESOLUTION TO BE BROUGHT OFF THE TABLE, WHICH WAS SECONDED BY COUNCILMAN LULL. ALL IN FAVOR OF UNTABLING THE RESOLUTION. COUNCILMAN DENSIESKI OFFERED THE RESOLUTION FOR ADOPTION WHICH WAS SECONDED BY COUNCILMAN LULL.

The VOTE: Densieski, yes, Cardinale, Absent, Kent, yes, Lull, yes, and Kozakiewicz, yes. Resolution

C:\MSOFFICE\WINWORD\resolutions\RDC1miller.doc was declared ADOPTED.

Tabled

Adopted

04/03/01

Adopted
04/03/01

Resolution # 2

Election of Directors

Tabled
03/20/01

Member COUNCILMAN CARDINALE offered the following resolution,

which was seconded by Member COUNCILMAN DENSIESKI:

WHEREAS, the RDC was established for the purpose of marketing and managing the Calverton Enterprise Park on behalf of the Community Development Agency, designated on owner of said property pursuant to Public Law 103-c337; and

WHEREAS, the Riverhead Town Board, as it shall be comprised from time to time, serves as the members of the Corporation; and

WHEREAS, pursuant to the Bylaws of the RDC the Directors shall be elected by the Members of the RDC at its annual meeting; and

WHEREAS, the annual meeting of the RDC Members was convened on March 15, 2001 for the purpose of election of Directors; and

WHEREAS, the election was postponed in order to consider new nominations to the Class of 2004.

THEREFORE, BE IT RESOLVED, that the RDC Members hereby reelect Mark Miller to the Board of Directors of the RDC for a term to begin immediately and ending at the Annual Meeting of the Members in 2004.

BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Director Andrea Lohneiss.

The Vote:

Member Densieski	_____
Member Cardinale	_____
Member Kent	_____
Member Lull	_____
Chairman Kozakiewicz	_____

THE VOTE

Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Cardinale	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kent	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED.

APRIL 3, 2001-TOWN BOARD MEETING:

Councilman Densieski offered the resolution to be brought off the table, which was seconded by councilman Lull. All in favor of Untabing the resolution. Councilman Densieski offered the resolution for adoption which was seconded by Councilman Lull.

THE VOTE: Densieski, yes, Cardinale, Absent, Kent, yes Lull, yes, and Kozakiewicz, yes.

The resolution was thereupon declared to be duly Adopted.

Adopted **Tabled**

Not
Adopted

Riverhead Development Corporation Members

Resolution # 3

Election of Directors

Tabled

03/20/01

Member COUNCILMAN KENT offered the following resolution,

which was seconded by Member COUNCILMAN LULL:

WHEREAS, the RDC was established for the purpose of marketing and managing the Calverton Enterprise Park on behalf of the Community Development Agency, designated on owner of said property pursuant to Public Law 103-c337; and

WHEREAS, the Riverhead Town Board, as it shall be comprised from time to time, serves as the members of the Corporation; and

WHEREAS, pursuant to the Bylaws of the RDC the Directors shall be elected by the Members of the RDC at its annual meeting; and

WHEREAS, the annual meeting of the RDC Members was convened on March 15, 2001 for the purpose of election of Directors; and

WHEREAS, the election was postponed in order to consider new nominations to the Class of 2004.

THEREFORE, BE IT RESOLVED, that John D. White is hereby elected to the Board of Directors of the RDC for a term to begin immediately and ending at the Annual Meeting of the Members in 2004.

BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Director Andrea Lohneiss.

The Vote:

Member Densieski	_____
Member Cardinale	_____
Member Kent	_____
Member Lull	_____
Chairman Kozakiewicz	_____

THE VOTE

Densieski Yes ___ No ___ Cardinale Yes ___ No ___
 Kent Yes ___ No ___ Lull Yes ___ No ___
 Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
 THEREUPON DULY ADOPTED

APRIL 3, 2001 TOWN BOARD MEETING:

COUNCILMAN DENSIESKI OFFERED THE RESOLUTION TO BE BROUGHT OFF THE TABLE, WHICH WAS SECONDED BY COUNCILMAN LULL. ALL IN FAVOR OF UNFOLDING THE RESOLUTION.

COUNCILMAN DENSIESKI OFFERED THE RESOLUTION FOR ADOPTION, WHICH WAS SECONDED BY COUNCILMAN LULL.

THE VOTE: Densieski, yes, Cardinale, absent, Kent, no, Lull no, and Kozakiewicz, yes.

The resolution was thereupon declared NOT TO BE ADOPTED.

Tabled

Not
Adopted

3/20/01

Adopted

TOWN OF RIVERHEAD

CDA Resolution # 8

**AUTHORIZES THE SUPERVISOR TO EXECUTE CONTRACT BETWEEN
RIVERHEAD COMMUNITY DEVELOPMENT AGENCY AND GREAT NORTHEAST
PRODUCTIONS, INC. ("GNP")**

COUNCILMAN DENSIESKI

_____ offered the following resolution, was seconded by

COUNCILMAN LULL

WHEREAS, GNP is in the business of organizing and promoting entertainment events and concerts for the general public; and

WHEREAS, GNP desires to stage and promote an outdoor concert on lands of the Calverton Enterprise Park.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute a contract between the Riverhead Community Development Agency and GNP, in a form to be approved by the Town Attorney, in connection with an outdoor concert to be held at the Calverton Enterprise Park; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to GNP, Attn: David Werlin, President, P.O. Box 1010, Townsend, Massachusetts, 01469; Andrea Lohneiss, CDA Director; the Office of the Supervisor and the Office of Town Attorney.

CONTRACT FOR OUTDOOR EVENT

This Contract is made and entered into as of this ____ day of ~~February~~ March, 2001, by and between **Riverhead Community Development Agency**, an public instrumentality of the Town of Riverhead, County of Suffolk, New York _____ corporation ("CDA"), and **Great Northeast Productions, Inc.**, a corporation duly organized and existing under the laws of the Commonwealth of Massachusetts and having a principal place of business in Townsend, Massachusetts ("GNP"):

WHEREAS, GNP is in the business of organizing and promoting entertainment events and concerts for the general public; and

WHEREAS, ~~RDC~~CDA controls approximately ~~_____~~ 2.900 acres of land in Calverton, New York, commonly known as Calverton Enterprise Park, which land includes _____ (collectively sometimes referred to as the "Property" and being depicted on the attached Exhibit A); and

WHEREAS, GNP desires to stage and promote an outdoor dance event on the Property on ~~September 15~~ _____ and ~~16~~, 2001 (the "Event"); and

WHEREAS, GNP and ~~RDC~~CDA have agreed to terms under which GNP will be granted the use of certain land, buildings, facilities and/or equipment at the Property;

NOW THEREFORE, in consideration of the mutual covenants hereinafter set forth, the parties agree as follows:

1. Use of Property: RDCCDA hereby grants GNP a License providing GNP with exclusive temporary use of the Property depicted on the attached Exhibit A (including buildings, facilities and equipment, if any, as described in said Exhibit A), upon the terms and conditions set forth hereunder.

This License will provide GNP and its employees, representatives, agents and concessionaires with

exclusive access to the Property from ~~September 5, 2001~~ _____, 2001 to the earlier of September 19 _____, 2001 or the completion of garbage and rubbish cleanup actions required for all land and facilities under paragraph 4 below for the purpose of preparing the grounds for the Event to be staged hereunder, including the construction and installation of an outdoor stages, event venue enclosure, medical facilities, ticket booths, concession stands for food, beverages and merchandise, and other temporary structures and facilities necessary, appropriate or incidental to the staging of the Event.

2. Compliance With Laws: GNP will at all times comply with all applicable federal, state, county and municipal laws, regulations, ordinances, codes and restrictions, including, without limitation, compliance with Article 28 of the New York State Tax Law and applicable regulations thereunder, and will secure any and all permits or licenses required for its activities and operations carried out at the Property. Without limiting the generality of the foregoing, to the extent required by law GNP will secure a Mass Gathering Permit from the Commissioner of the appropriate County Department of Health prior to holding the Event. RDCDA agrees to provide information at its disposal and otherwise cooperate with GNP in pursuing its application for any such permit(s) or license(s).

3. Compensation: In exchange for License set forth above for the use of the Property, GNP will pay RDCDA as follows:

(i) RDCDA shall receive \$1.00 per Event ticket sold, as certified by authorized ticket sales agents, but in no event less than \$20,000.00.

(ii) GNP will make a non-refundable advance payment in the amount of \$_____ 20,000.00 to RDCDA, to be credited against the amount otherwise payable to RDCDA on account of ticket sales pursuant to Item (i) above. For example, if _____ tickets are sold for the Event, GNP will pay RDCDA \$1.00 x _____ = \$ _____, less a credit for the \$ _____ already paid = \$ _____. In this example, total payments to County will be \$ _____, consisting of the initial payment of \$ _____ plus the \$ _____ as calculated in the preceding sentence. The \$ _____ advance payment will be paid in installments, as follows: \$ _____ upon execution

of this contract; \$ _____ on or before September _____, 2001.

All sums payable by GNP to RDCDA under this Agreement shall be made on or before September _____, 2001.

4. Responsibilities of GNP: Subject to the terms of this Agreement, GNP will be responsible for carrying out and shall have exclusive control of all operations associated with the Event and related activities, including without limitation, all food and beverage concessions, merchandising, parking, any video or audio filming or taping of the Event, security for the Event, provision of emergency medical services, lay-out and administration, and operation of sanitary facilities. Following the Event, GNP will promptly commence garbage and rubbish removal and cleanup (hereafter, the Acleanup@) and shall diligently and continuously engage in such cleanup efforts so that the cleanup will be accomplished as soon as reasonably practicable (but in no event later than September _____, 2001). Buildings, facilities and grounds (~~including any removed runway lights or other removed structures~~) will be restored to the condition that existed prior to the Event (hereafter, the "restoration") and be ~~reasonably~~ clean and free of clutter and debris. GNP will remove all refuse, rubble, garbage and debris created by the Event or GNP's activities at the Property and dispose of the same in at an appropriate waste facility.

In order to provide assurance that there will be sufficient resources to complete the cleanup and the restoration as set forth in the preceding paragraph, GNP will deposit the sum of \$ _____ (the "Escrow Funds") with _____, which Escrow Funds will be disbursed by the Escrow Agent in accordance with this Agreement. The Escrow Funds shall be deposited by GNP as provided above on or before September _____, 2001. The Escrow Funds shall be disbursed as directed jointly by the parties hereto, except as otherwise provided herein. RDCDA and GNP agree that the Escrow Funds shall be disbursed in satisfaction of costs associated with the cleanup and the restoration until the same are completed to the reasonable satisfaction of RDCDA. The sum of \$ _____ shall be earmarked for the cleanup and the sum of \$ _____ shall be earmarked for the restoration; provided, however, that funds earmarked but unexpended for one use may be applied to

expenditures for the other use, as necessary. RDCDA agrees that Escrow Funds will be released against invoices for cleanup services and restoration services submitted by GNP and approved by RDCDA, which approval will not be unreasonably withheld. Upon completion of all cleanup and restoration work hereunder by GNP to the reasonable satisfaction of RDCDA, any unexpended balance of the Escrow Funds will be returned to GNP. In the event that GNP and RDCDA cannot agree whether a reasonable cleanup and/or restoration standard has been accomplished, such dispute shall be resolved in accordance with the dispute resolution provisions of this Agreement. In the event that GNP fails for any reason (other than a disagreement as to whether the cleanup standard has been met) to complete its cleanup and restoration work hereunder to the reasonable satisfaction of RDCDA, ~~the County~~DA shall have the right, after notice to GNP, to apply any unexpended balance of the Escrow Funds toward the reasonable costs and expenses of completing such cleanup and/or restoration work; provided that any remaining unexpended Escrow Funds after the completion of such work by RDCDA will be returned to GNP.

5. Septic Waste. GNP will be responsible for the handling, storage, processing (i.e., screening of foreign objects), treatment and disposal of all waste from portable toilets generated in connection with the Event and related activities. The parties shall cooperate in identifying and specifying methods of handling, storing, processing, treating and disposing of the waste.

6. Security. GNP will provide all security services reasonably necessary to protect the health and safety of the concert goers as well as the general public, and generally to protect against damage to or loss of property, including the land, buildings, equipment and/or facilities provided by RDCDA hereunder for use in connection with the Event. GNP will undertake all necessary coordination with state, county and local law enforcement agencies and will pay any costs, fees or expenses associated with acquiring necessary services from such law enforcement agencies, including, without limitation, the fees or expenses associated with such law enforcement services.

7. Insurance and Indemnification: GNP will be responsible for providing comprehensive general liability insurance in the amount of not less than \$10,000,000 with a company or companies reasonably satisfactory to CDA. [In addition, GNP will provide casualty insurance on the buildings, structures,

equipment and facilities within the Property at their full replacement cost.] GNP shall provide certificates of the foregoing insurance, showing RDCDA as an additional insured to the extent of its interest. Finally, GNP agrees to indemnify and hold RDCDA, the Town of Riverhead and their respective officers, employees, agents, representatives and officials ~~identify other appropriate parties, if any~~ of and from any and all loss or liability associated with the Event and related activities described herein, including liability for damages to property or for injuries or death to persons which may arise from, or be attributable or incident to the use by GNP and its employees, agents, representatives and concessionaires, or any concert attendee, of the Property, excepting liability solely caused by the gross negligence of RDCDA or its employees, agents or representatives. Without limiting the generality of the foregoing, GNP agrees to indemnify and hold RDCDA harmless from any lien claimed or asserted for labor, materials or services furnished to GNP in connection with the concerts or related events. With respect to any suit or claim by RDCDA, whether under this indemnification provision or otherwise, GNP, for itself, its agents, employees and representatives, hereby expressly waives any defense which might preclude or limit either enforcement of this indemnification clause or any reasonable attorney's fees incurred by RDCDA in securing compliance with the provision of this indemnification agreement.

8. Miscellaneous Responsibilities of GNP: Except with respect to any specific services, equipment and facilities to be provided by RDCDA under this Agreement, GNP will be responsible for acquiring all services and materials and otherwise for carrying out all actions necessary for the Event and related activities to take place, including, but not limited to, all planning, marketing, promotions, sponsorship, operations, concessions, garbage removal, cleanup, construction and demolition or removal of all temporary structures, development and removal of systems to deliver adequate supplies of potable water, portable toilets, systems for removal of wastewater, ticketing, security, emergency medical service, traffic control, electrical power and communications. GNP will obtain all necessary licenses, permits and approvals required for the Event and for construction of any temporary structure or system to be used at the Property in connection with the Event or related activities. In addition, GNP will take all actions necessary to restore the property to its condition existing prior to the commencement of operations under this agreement, including, without limiting the generality of the foregoing, the removal of all temporary structures and systems.

9. Successors and Assigns. This agreement shall be binding upon and inure to the benefit of the respective successors and assigns of the parties; provided, however, that nothing herein shall be deemed to permit the assignment of this Agreement by either party without the express written consent of the other party.

10. Entire Agreement. This contract constitutes the entire agreement between the parties and no further agreement, express or implied, written or oral, exists with respect to the subject matter of this document.

11. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of New York.

12. Dispute Resolution. The parties to this Agreement will submit any controversy or claim arising out of or relating to this Agreement which cannot be resolved by mutual agreement to binding arbitration under the rules of the American Arbitration Association. Such arbitration shall be conducted by an arbitrator experienced in arbitrating disputes of similar size and complexity as shall be jointly selected by the parties, or failing such joint selection within seven (7) days of the assertion of the controversy or claim, as shall be appointed by the President of the American Arbitration Association in the City of Albany, New York. Arbitration shall commence upon appointment of the arbitrator. All costs of arbitration shall be shared equally by the parties. The parties shall be responsible for the costs of their respective attorneys and the expenses of witnesses that they may call. Notwithstanding any other provision of law, any arbitration process held pursuant to this Agreement shall be deemed confidential and no statements made therein shall be used in any other proceeding. The decision of the arbitrator shall be delivered in writing to the parties within seven (7) calendar days of the closing of the arbitration proceedings. The decision of the arbitrator shall be binding upon the parties.

13. Additional County Services. [Identify services, if any, to be provided by RDCDA and price of same]

In Witness Whereof, Great Northeast Productions, Inc. has caused this instrument to be signed in its corporate name by David J. Werlin, its President, hereunto duly authorized, and Riverhead Community Development Corporation ~~Agency~~ has caused this instrument to be signed in its corporate name by _____, its _____, hereunto duly authorized, as of the day and the year first above written.

GREAT NORTHEAST PRODUCTIONS, INC.

By: _____
David J. Werlin, President

RIVERHEAD COMMUNITY DEVELOPMENT CORPORATION ~~AGENCY~~

By: _____
Name:
Title:

March 20, 2001

Adopted**TOWN OF RIVERHEAD**Resolution # 281**DECLARES LEAD AGENCY AND DETERMINES SIGNIFICANCE OF
ZONING AMENDMENT PETITION OF TANGER MANUFACTURERS
OUTLET CENTER****COUNCILMAN DENSIESKI**

_____ offered the following resolution which

was seconded by _____

COUNCILMAN KENT

WHEREAS, the Riverhead Town Board is in receipt of a code amendment petition from Tanger Manufacturers Outlet to amend Article XA of the Zoning Ordinance to provide for "theater, indoor" as a permitted use, and

WHEREAS, the Riverhead Town Board has referred the petition to the Riverhead Planning Board for its report and recommendations; such Planning Board recommending the approval of the zoning amendment with conditions and further recommending that the action be considered Type I without a significant impact upon the natural and social environment and that an environmental impact statement need not be prepared, and

WHEREAS, the Riverhead Town Board has carefully considered the merits of the petition, the SEQRA record created to date, the report of the Planning Department, the report of the Planning Board, as well as all other relevant planning, zoning and environmental information, now

THEREFORE, BE IT

RESOLVED, that in the matter of the zoning amendment petition of Tanger Manufacturers Outlet Center to provide for "theater, indoor" as a permitted use within the Manufacturers Outlet Zoning Use District, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the action to be Type I pursuant to 6NYCRR Part 617.4(b)(2) without a significant impact upon either the natural or social environmental and that an environmental impact statement need not be prepared, and

BE IT FURTHER

RESOLVED, that the Planning Department be directed to publish those notices of non-significance as required by law, and

BE IT FURTHER

RESOLVED, that a copy of this resolution be forwarded to the Peter S. Danowski. Esq. as agent for the applicant.

abstain

THE VOTE

Densleski Yes No Cardinale Yes No

Kent Yes No Lull Yes No

Kozakewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

3/20/01

⁵³⁷
Tabled

03/20/01

TOWN OF RIVERHEAD

Resolution # 282

ADOPTS A LOCAL LAW TO AMEND CHAPTER 101 ENTITLED "VEHICLES & TRAFFIC" OF THE RIVERHEAD TOWN CODE

COUNCILMAN LULL offered the following resolution, was seconded by

COUNCILMAN KENT :

WHEREAS, the Town Clerk was authorized to publish and post a public notice to hear all interested persons to consider a local law amending Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code; and

WHEREAS, a public hearing was held on the 5th day of December, 2000 at 7:20 o'clock p.m. at Town Hall, 200 Howell Avenue, Riverhead, New York, the date, time and place specified in said public notice, and all persons wishing to be heard were heard.

NOW THEREFORE BE IT RESOLVED, that the local law amending Chapter 101 entitled, "Vehicles & Traffic" of the Riverhead Town Code be and is hereby adopted as specified in the attached notice of adoption; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to publish the attached notice of adoption once in the News Review and to post same on the signboard at Town Hall; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Highway Department and the Police Department.

THE VOTE

Densieski Yes No Cardinale Yes No

Kent Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

Tabled

**TOWN OF RIVERHEAD
NOTICE OF ADOPTION**

PLEASE TAKE NOTICE, that the Town Board of the Town of Riverhead adopted a local law amending Chapter 101 entitled, " Vehicles & Traffic" of the Riverhead Town Code at its regular meeting held on March 6, 2001 as follows:

§ 101-3. Stop and yield intersections; railroad crossings; parking fields.

A. Stop intersections. The following intersections are designated as stop intersections, and stop signs shall be erected at such intersections as follows:

Intersection	Stop Sign On	Entrance From
<u>Timothy Lane</u>	<u>High Meadow Lane</u>	<u>South</u>

§ 101-10.2. No parking certain hours.

Street	Side	Hours	Location
<u>High Meadow Lane</u>	<u>Both</u>	<u>3:00 a.m. to 6:00 a.m.</u>	<u>Entire Length</u>
<u>Melissa Court</u>	<u>Both</u>	<u>3:00 a.m. to 6:00 a.m.</u>	<u>Entire Length</u>
<u>Rita's Court</u>	<u>Both</u>	<u>3:00 a.m. to 6:00 a.m.</u>	<u>Entire Length</u>
<u>Timothy Lane</u>	<u>Both</u>	<u>3:00 a.m. to 6:00 a.m.</u>	<u>Entire Length</u>

Dated: Riverhead, New York
March 20, 2001

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD**

BARBARA GRATTAN, Town Clerk

* Underline represents addition(s)

COUNCILMAN LULL OFFERED THE RESOLUTION TO BE AMENDED, WHICH WAS SECONDED BY COUNCILMAN KENT AMENDMENT BEING SECTION 101-3 A TO BE OMITTED ENTIRELY.

THE VOTE: DENSIESKI, NO, CARDINALE, NO
COUNCILMAN KENT THEN OFFERED THE RESOLUTION TO BE TABLED, WHICH WAS SECONDED BY COUNCILMAN CARDINALE.

ALL MEMBERS IN FAVOR OF TABLING THE RESOLUTION.

Tabled

March 20th, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 283

APPROVES TEMPORARY SIGN PERMIT OF QUIKCONNEX

COUNCILMAN CARDINALE offered the following resolution, which was

seconded by COUNCILMAN DENSIESKI.

WHEREAS, a temporary sign permit application and sketch were submitted by Essjay Associates for property located at Osborne Plaza (Store #2), Riverhead, New York 11901, Riverhead, New York, and

WHEREAS, pursuant to Section 108-56 C(5) of the Town Code of the Town of Riverhead, the application does not require the recommendation of the Architectural Review Board, and

WHEREAS, the sketch has been approved by three (3) Town Board members, now

THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby approves the temporary sign permit application submitted by Essjay Associates, dated February 8, th 2001, and

BE IT FURTHER

RESOLVED, that said temporary sign shall be erected for a period not to exceed six (6) months from the date hereof or the issuance of the permit for the permanent sign, whichever first occurs, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Essjay Associates, Inc. 435-4 Osborne Plaza, Riverhead, New York 11901 and the Building Department and Planning Department.

THE VOTE

Densieski Yes No Cardinale Yes No

Kent Yes No Luff Yes No

Kozakewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

March 20th, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 284

APPROVES TEMPORARY SIGN PERMIT OF MARQUEE CINEMA

COUNCILMAN LULL offered the following resolution, which was

seconded by COUNCILMAN DENSIESKI.

WHEREAS, a temporary sign permit application and sketch were submitted by Carmine Dell Aquila for property located at 1766 Old Country Road, Riverhead, New York 11901, and

WHEREAS, pursuant to Section 108-56 C(5) of the Town Code of the Town of Riverhead, the application does not require the recommendation of the Architectural Review Board, and

WHEREAS, the sketch has been approved by three (3) Town Board members, now

THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby approves the temporary sign permit application submitted by Carmine Dell Aquila, dated February 13,th 2001, and

BE IT FURTHER

RESOLVED, that said temporary sign shall be erected for a period not to exceed six (6) months from the date hereof or the issuance of the permit for the permanent sign, whichever first occurs, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby directed to forward a certified copy of this resolution to Carmine Dell Aquila, Rte. 58 Riverhead Association, LLC, #1 Waterview Drive, Port Jefferson, New York 11777 and the Building Department and Planning Department.

THE VOTE

Densieski Yes No Cardinale Yes No

Kent Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

Adopted

353468.1
72113-3135

At a regular meeting of the Town Board of the Town of Riverhead, Suffolk County, New York, held at the Town Hall, 200 Howel Avenue, in Riverhead, New York, in said Town, on the 20th day of March, 2001, at 2:00 o'clock P.M., Prevailing Time.

PRESENT:

Robert F. KOzakiewicz
Supervisor

Edward Densieksi
Councilman

Philip Cardinale
Councilman

Christopher Kent
Councilman

James B. Lull
Councilman

COUNCILMAN KENT offered the following

resolution, which was seconded by:

COUNCILMAN LULL

In the Matter
of
the Increase and Improvement
of the Facilities of Riverhead
Water District in the Town
of Riverhead, Suffolk County,
New York

PUBLIC INTEREST
ORDER

WHEREAS, by proceedings heretofore duly had and taken, and, particularly, by order dated June 2, 1998, the Town Board of the Town of Riverhead, Suffolk County, New York, determined it

to be in the public interest to increase and improve the facilities of the Riverhead Water District, by the construction of wells and a pump station and the purchase and installation of transmission mains incidental to such well work, at an aggregate maximum estimated cost of \$1,943,000; and

WHEREAS, said Town Board was subsequently successful in obtaining a grant for said new wells and transmission mains, the demolition of existing water facilities, new building hook-ups, additional new transmission mains and a new district-wide; and

WHEREAS, the Town Board of said Town thereafter caused to be prepared a new map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Riverhead Water District providing for said new project, at a aggregate maximum estimated cost of \$3,743,000 and an estimated local share of \$1,943,000, being the same as that previously authorized, and said Town Board subsequently held a hearing on April 20, 1999 after due notice and determined that the aforesaid increase and improvement was in the public interest; and

WHEREAS, said increase and improvement of facilities of the Riverhead Water District consists of (a) the construction of wells and a pump station building, at a maximum estimated cost of \$1,750,000; (b) the purchase and installation of transmission mains both incidental and not incidental to said well work, at an estimated cost of \$1,085,000; (c) the demolition of existing water facilities, at a maximum estimated cost of \$135,000; (d) the construction of new building hook-ups, at a maximum estimated cost of \$100,000; and (e) a new district-wide , at a maximum estimated cost of \$495,000, including contingency of \$178,000 to be allocated and expended, if necessary, to the aforesaid sub-projects as the Town Board shall determine necessary and appropriate, at an aggregate maximum estimated cost of \$3,743,000, for which EDA grant

proceeds are anticipated to be received in the amount of \$1,800,000 with the local share to the Riverhead Water District estimated to be \$1,943,000; and

WHEREAS, the Town Board of said Town has re-evaluated the current plan and since caused to be prepared a new map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Riverhead Water District which provides for the modification of the existing plan, because of the results of a test well at Plant No. 11, to eliminate the planned second well at Plant No. 11 and to include the rehabilitation and upgrading of two existing wells on the Grunman property;

WHEREAS, the increase and improvement when modified as proposed would have an aggregate maximum estimated cost of \$3,743,000 and an estimated local share of \$1,943,000, which is the same as that presently authorized, and said Town Board now desires to hold a hearing to consider whether the modified increase and improvement would be in the public interest; and

WHEREAS, said modified increase and improvement of facilities of the Riverhead Water District consists of the planning, engineering and construction or reconstruction of Route 25 transmission mains, a Plant No. 11 well, on site transmission mains, including related demolition, at the Calverton facility, and Plant No. 12 wells, at an aggregate maximum estimated cost of \$3,743,000, for which EDA grant proceeds are anticipated to be received in the amount of \$1,800,000 with the local share to the Riverhead Water District estimated to be \$1,943,000, being no increase over the previous authorization; and

WHEREAS, said capital project, as proposed, has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which as proposed, the Town Board has determined will not have a significant effect on the environment; and

WHEREAS, a public hearing was held on _____, 2001 on the question of authorizing such increase and improvement of facilities, as so modified, at an aggregate maximum estimated cost of \$3,743,000; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Riverhead, Suffolk County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is necessary and in the public interest to increase and improve the facilities of the Riverhead Water District in the Town of Riverhead, Suffolk County, New York, in the modified manner described in the preamble hereof, at a maximum estimated cost of \$3,743,000, and said increase and improvement is hereby authorized and approved. It is hereby further found that no additional financing for said purpose is necessitated by the aforesaid determination.

Section 2. This order shall take effect immediately.

The question of the adoption of the foregoing Order was duly put to a vote on roll call, which resulted as follows:

_____ VOTING _____
 _____ VOTING _____

The Order was thereupon declared duly adopted.

* * * * *

THE VOTE

Densieski Yes ___ No ___ Cardinale Yes ___ No ___
 Kent Yes ___ No ___ Lull Yes ___ No ___
 Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
 THEREUPON DULY ADOPTED

COUNCILMAN KENT OFFERED THE RESOLUTION TO BE TABLED, WHICH WAS SECONDED BY COUNCILMAN LULL.

COUNCILMAN KENT OFFERED THE RESOLUTION TO BE AMENDED, WHICH WAS SECONDED BY COUNCILMAN LULL.

ALL MEMBERS IN FAVOR OF ADOPTING RESOLUTION WITH AMENDMENT.

AMENDMENT BEING SCADA BEING OMMITTED FROM RESOLUTION.

STATE OF NEW YORK)
) ss:
COUNTY OF SUFFOLK)

I, the undersigned Clerk of the Town of Riverhead, Suffolk County, New York, DO
HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board
of said Town, including the order contained therein, held on the ____ day of _____
2001, with the original thereof on file in my office, and that the same is a true and correct transcript
therefrom and of the whole of said original so far as the same relates to the subject matters therein
referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open
Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public
notice of the time and place of said meeting to be given to the following newspapers and/or other
news media as follows:

Newspaper and/or other news media

Date given

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s)
of posted notice _____

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town
this _____ day of _____, 2001.

Town Clerk

(CORPORATE
SEAL)

TOWN OF RIVERHEAD

Adopted

SETS ADMINISTRATION FEE FOR CHAPTER 54 AND CHAPTER 96

RESOLUTION # 286

COUNCILMAN DENSIESKI

offered the following resolution ,

which was seconded by

COUNCILMAN CARDINALE

WHEREAS, the Town of Riverhead Code Chapter 54 and Chapter 96 authorizes the Town to charge all the costs associated with the enforcement of these Chapters and

WHEREAS, THIS Town Board wishes to charge an administrative fee to help defray the costs that would otherwise be paid by the no violating taxpayer of the Town of Riverhead.

NOW THEREFORE BE IT RESOLVED, that the Administration fee for a Chapter 54 Enforcement action will be \$2275.00 for all pending and future violations and for a Chapter 96 Enforcement action will be \$740.00 for all pending and future violations.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

CHAPTER 54 COST ANALYSIS			
FOR FISCAL YEAR 2001			
DEPT.	HR RATE	AVERAGE HOURS	AVERAGE COST
ENGINEERING	\$ 85.00	5	\$ 425.00
B&G	\$ 50.00	16	\$ 800.00
BLDG DEPT			\$ -
CODE	\$ 55.00	3	\$ 165.00
ADMIN	\$ 80.00	3	\$ 240.00
CLERICAL	\$ 40.00	2	\$ 80.00
TWN CLK	\$ 60.00	2	\$ 120.00
TWN ATTY	\$ 70.00	1	\$ 70.00
TWN BD	\$ 35.00	2	\$ 70.00
SUPERVISOR	\$ 75.00	1	\$ 75.00
MISC EXPENSE			\$ -
PUBLISHING			\$ 100.00
TRANSCRIPT			\$ 30.00
RM RENTAL			\$ 100.00
TOTAL			\$ 2,275.00
CHAPTER 96 COST ANALYSIS			
FOR FISCAL YEAR 2001			
DEPT.	HR RATE	AVERAGE HOURS	AVERAGE COST
ENGINEERING	\$ 85.00	5	\$ 425.00
B&G	\$ 50.00	0	\$ -
BLDG DEPT			\$ -
CODE	\$ 55.00	3	\$ 165.00
ADMIN	\$ 80.00	0	\$ -
CLERICAL	\$ 40.00	2	\$ 80.00
TWN CLK	\$ 60.00	0	\$ -
TWN ATTY	\$ 70.00	1	\$ 70.00
TWN BD	\$ 35.00	0	\$ -
SUPERVISOR	\$ 75.00	0	\$ -
MISC EXPENSE			\$ -
PUBLISHING			\$ -
TRANSCRIPT			\$ -
RM RENTAL			\$ -
TOTAL			\$ 740.00

March 20th, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 287

APPROVES MODIFIED SITE PLAN OF KAMCO SUPPLY CORPORTION

Councilman Kent offered the following resolution,
which was seconded by Councilman Lull :

WHEREAS, a site plan and elevations were submitted by Ray Barter, for site improvements including paving, drainage, fencing, curbs and lighting for outdoor storage area, located at Calverton Enterprise Park, 4062 Grumman Blvd, Calverton, New York 11933, known and designated as Suffolk County Tax Map Number 0600-135-1-7.5; and

WHEREAS, the Planning Department has reviewed the site plan dated January, 2001, as prepared by James W. O'Callaghan, P.E., and elevations dated January, 2001, as prepared by James W. O'Callaghan, P.E., and has recommended to the Town Board of the Town of Riverhead that said site plan application be approved; and

WHEREAS, the Town Board has carefully considered the merits of the site plan application, the SEQRA record to date, the report of the Planning Department, as well as all other relevant Planning, Zoning and Environmental information; and

WHEREAS, a copy of the site plan has been marked and initialed by the Town Board to show changes that are further set forth in this resolution, which site plan shall be on record with the Town Clerk; and

WHEREAS, the site plan review fee, as required by Section 108-131 B(3) of the Code of the Town of Riverhead has been received and deposited as per Receipt Number 7801 of the Office of the Supervisor of the Town of Riverhead; and;

WHEREAS, this Town Board has reviewed the site plan and elevations aforementioned.

NOW, THEREFORE, BE IT

RESOLVED, That in the matter of the site plan application of Ray Barter, the Riverhead Town Board hereby declares itself to be the Lead Agency and further determines the Action to be unlisted pursuant to 6NYCRR Part 617 and that an Environmental Impact Statement need not be prepared.

BE IT FURTHER

RESOLVED, that the site plan and elevations submitted by Ray Barter, for site improvements including paving, drainage, fencing, curbs and lighting for outdoor storage area, located at Calverton Enterprise Park, 4062 Grumman Blvd, Calverton, New York 11933, New York, site plan dated January, 2001, as prepared by James W. O'Callaghan, P.E., and elevations dated January, 2001, as prepared by James W. O'Callaghan, P.E., be and are hereby approved by the Town Board of the Town of Riverhead, subject to the following:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk's Office and filed with the Riverhead Town Clerk;
3. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan proves and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
4. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;
5. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
6. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
7. That parking, paving and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
8. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
9. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and

filing of this document, Town of Riverhead community Development Agency hereby authorizes and consents to the Town of Riverhead to enter premises at Calverton Enterprise Park, 4062 Grumman Blvd, Calverton, New York 11933, New York, to enforce said handicapped parking regulations;

10. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter; and that any planters, planter boxes, window boxes or other container plantings shall likewise be maintained on a year-round basis;
11. That all new utilities shall be constructed underground;
12. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other equivalent security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the Town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof.
13. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;
14. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;
15. That lumber shall not be piled in such a manner as to exceed twenty (20) feet in height;
16. That driveways between lumber piles shall be a minimum of fifteen (15) feet;
17. That lumber piles shall be a minimum of ten (10) feet from buildings;
18. That outdoor storage areas shall be suitably screened as marked;
19. That no use permit shall be issued until the following has been provided to the satisfaction of the Riverhead Building Department;
 - (i) The location of the nearest fire hydrant along "Proposed Street 4";
 - (ii) The provision of "Fire Zone" – No Parking" areas around buildings.

AND BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to James W. O'Callaghan, P.E., Owner's Agent, Cameron Engineering & Associates, LLP, Suite 100, 3 Aerial Way, Syosset, N. Y. 11791-5598, the Town of Riverhead Community Development Agency, the Riverhead Planning Department, Riverhead Building Department, and the Town Engineer.

THE VOTE

Denslekd Yes ___ No ___ Cardinale Yes ___ No ___
 Kent ___ Yes ___ No ___ Lull Yes ___ No ___
 Kozakewicz ___ Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
 THEREUPON DULY ADOPTED

DECLARATION AND COVENANTS

THIS DECLARATION, made the _____ day of _____, 2000, made by Town of Riverhead Community Development Agency, residing at 200 Howell Avenue, Riverhead, New York 11901, Declarant:

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto, as provided by Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead, and the owner and prospective owners of said parcel, that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan and said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land, and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1. That the provisions of the **Riverhead Town Code**, which are not addressed by this resolution, or other official action of the Town shall, at all times, be complied with by the owner of the property covered by this site plan;
2. That the form, design, location, and color of all signage shall be submitted to the Town Board for its review and approval pursuant to the site plan process and the sign permit procedure prior to being installed at the property; that all signage so proposed shall be coordinated in appearance and design; and that all provisions of Section 108-56 of the **Riverhead Town Code** shall be complied with, and that all tenants shall be apprised of said requirements as well as those of Section 108-110.7 and any restrictions imposed as a condition of the site plan approval granted herein;
3. That no lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

4. That the applicant is familiar with the **Riverhead Town Code**, Chapter 96, entitled , "Trash, Rubbish and Refuse Disposal," and Chapter 98, prohibiting the accumulation of litter, and requiring the enclosure of dumpsters, and agrees to abide by same;
5. That receptacles of a decorative design, approved by the Planning Department prior to their installation at the site, shall be maintained on the premises;
6. Parking, paving, and drainage shall be provided pursuant to specifications outlined in the **Riverhead Town Code**;
7. That the parking area shall be maintained pursuant to specifications outlined in the **Riverhead Town Code**;
8. That adequate parking for the handicapped, pursuant to State and Federal law and the Code of the Town of Riverhead, shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only," and the universal symbol affixed thereto. Further, by execution and filing of this document, Town of Riverhead community Development Agency hereby authorizes and consents to the Town of Riverhead to enter premises at Calverton Enterprise Park, 4062 Grumman Blvd, Calverton, New York 11933, New York, to enforce said handicapped parking regulations;
9. That any and all landscaped and paved areas shall be regularly maintained in an orderly and professional manner and kept free of weeds and litter, and that any planters, planter boxes, window boxes, or other container plantings shall likewise be maintained on a year-round basis;
10. That all new utilities shall be constructed underground;
11. That pursuant to Section 108-133(I) of the **Code of the Town of Riverhead**, the applicant, upon approval of a final site plan by this resolution and prior to the issuance of a land clearing and/or building permit, shall post a performance bond or other equivalent security. The performance bond or other security assures the performance of all the conditions of the building permit in accordance with the site plan approval. The Supervisor, upon approval from the Town Attorney as to form, is hereby authorized to accept said performance bond or other security, which shall be filed with the Town Clerk subsequent to approval of the site plan herein. The building permit shall not be issued until the town Clerk certifies that the performance bond or other security has been filed in the Office of the Town Clerk of the Town of Riverhead. Said security shall be in full force and effect for the term of the building permit or any renewal thereof;
12. That the topsoil shall conform to the specifications of the New York State Department of Transportation in regard to pH, organic content, and gradation;

13. That all nursery stock and installation methods thereof shall meet the latest "American Standards for Nursery Stock," as published by the American Association of Nurserymen;

Declarant has hereunto set his/her hand and seal the day and year above first written.

Town of Riverhead Community
Development Agency

STATE OF NEW YORK)

: ss.:

COUNTY OF SUFFOLK)

On the ____ day of _____, in the year _____ before me, the undersigned, _____ personally _____ appeared

_____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

3/20/01

Adopted

REJECTS BIDS
SECURITY, FIRE AND TELEMTRY CONTROL SYSTEMS
RIVERHEAD SEWER DISTRICT

RESOLUTION # 288

Adopted 03/20/01

COUNCILMAN DENSIESKI offered the following resolution
which was seconded by COUNCILMAN KENT,

WHEREAS, this Town Board did authorize the advertisement for bids for the security, fire and telemetry control systems for the Riverhead Sewer District, and

WHEREAS, the Town Clerk was authorized to advertise for such bids, and

WHEREAS, all bids received were opened and read aloud on the date and time advertised in the notice, and

WHEREAS, it has been recommended by H2M, consulting engineers to the Riverhead Sewer District, that all bids received be rejected,

NOW, THEREFORE, BE IT

RESOLVED, that all bids for the security, fire and telemetry control systems for the Riverhead Sewer District be and are hereby rejected, and be it further

RESOLVED, that the Town Clerk forwarded certified copies of this resolution to Frank Russo at H2M, Michael Reichel, Frank Isler, Esq., Town Engineer, and all bidders, be it further

RESOLVED, that the Town Clerk is hereby authorized to return to all bidders their respective bid security.

THE VOTE

Densieski Yes No Cardinalo Yes No

Kent Yes No Kull Yes No

Kozakewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

Adopted

3/20/01

AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS
SECURITY, FIRE AND TELEMTRY CONTROL SYSTEMS
RIVERHEAD SEWER DISTRICT

RESOLUTION # 289

Adopted 03/20/01

_____ offered the following
resolution which was seconded by _____,

RESOLVED, the Town Clerk be and is authorized to publish in
the March 29, 2001, edition of The News Review and post the
attached Notice to Bidders with regard to receiving bids for the
security, fire and telemetry control systems for the Riverhead
Sewer District, and be it further

RESOLVED, that the Town Clerk shall forward a certified copy
of this resolution to Frank Isler, Esq., H2M, and Michael Reichel.

THE VOTE

Dansleski Yes No Cardinali Yes No
Kent Yes No Kull Yes No
Kozakewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

H2M Group
Notice to Bidders

The Town Board of the Town of Riverhead will receive bids for the following contract:

SECURITY, FIRE AND TELEMETRY CONTROL SYSTEMS

for the Riverhead Sewer District at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, NY 11901, at 10:00 AM prevailing time, on Thursday, April 19, 2001, at which time and place the bids will be publicly opened and read.

Contract documents, including technical specifications, are on file at the following offices:

Town Clerk, Town of Riverhead
Town Hall, 200 Howell Ave.
Riverhead, NY 110901
(631)727-3200

Holzmacher, McLendon & Murrell, P.C.
575 Broad Hollow Road
Melville, NY 11747
(631)756-8000 Ext 1433

Copies of the contract documents may be obtained at the Riverhead Town Hall (Town Clerk's Office) on or after March 22, 2001 upon deposit of Fifty Dollars (\$50.00) in cash, certified check, bank money order or postal money order, made payable to the TOWN OF RIVERHEAD for each set furnished.

Deposits of specifications will be refunded to Bidders who have submitted a bid.

Each proposal must be accompanied by a bid bond in the amount of five percent (5%) of the total bid, or certified check made payable to the TOWN OF RIVERHEAD as assurance that the bid is made in good faith.

The right is reserved to reject any or all bids, to waive any informalities, and to accept the lowest responsible bid.

BY ORDER OF THE TOWN BOARD
TOWN OF RIVERHEAD
SUFFOLK COUNTY, NEW YORK

ACTING AS THE GOVERNING BODY
OF THE RIVERHEAD SEWER DISTRICT

BARBARA GRATTAN, TOWN CLERK

DATED: MARCH 22, 2001

MARCH 20TH, 2001

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 290

AUTHORIZATION TO PUBLISH BID FOR WATER SERVICE MATERIALS

COUNCILMAN CARDINALE offered the following resolution which was seconded by COUNCILMAN LULL.

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for the purchase of **WATER SERVICE MATERIALS** for use by the Town of Riverhead.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the **MARCH 29TH, 2001** issue of the News Review.

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a copy of this resolution to the Purchasing Department.

THE VOTE

Densieski Yes No Cardinale Yes No

Kent Yes No Lull Yes No

Kozakewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed bids for the purchase of WATER SERVICE MATERIALS for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:00 a.m. on APRIL 6TH, 2001.

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the Specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

All bids are to be submitted in a sealed envelope bearing the designation BIDS FOR WATER SERVICE MATERIALS.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

MARCH 20TH, 2001

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 291

AUTHORIZATION TO PUBLISH BID FOR JANITORIAL SUPPLIES

COUNCILMAN CARDINALE offered the following resolution which was seconded by COUNCILMAN LULL.

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for the purchase of **JANITORIAL SUPPLIES** for use by the Town of Riverhead.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the **MARCH 29TH, 2001** issue of the News Review.

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a copy of this resolution to the Purchasing Department.

THE VOTE

Densieski Yes No Cardinale Yes No
 Kent Yes No Lull Yes No
 Kozaklewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed bids for the purchase of JANITORIAL SUPPLIES for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:15 a.m. on APRIL 6TH, 2001.

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the Specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

All bids are to be submitted in a sealed envelope bearing the designation BIDS FOR JANITORIAL SUPPLIES.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

MARCH 20, 2000

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 292

AUTHORIZATION TO PUBLISH BID FOR GRASS SEED & LAWN
CHEMICALS

COUNCILMAN DENSIESKI offered the following resolution which was
seconded by COUNCILMAN KENT.

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to
advertise for sealed bids for the purchase of **GRASS SEED** for use by the Town of
Riverhead.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the
following public notice in the **MARCH 29TH** issue of the News Review.

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward
a copy of this resolution to the Purchasing Department.

THE VOTE

Densieski Yes No Cardinale Yes No

Kent Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD
NOTICE TO BIDDERS

Sealed bids for the purchase of GRASS SEED AND LAWN CHEMICALS for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:00 a.m. on April 5th, 2001.

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the Specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

All bids are to be submitted in a sealed envelope bearing the designation BIDS FOR GRASS SEED & LAWN CHEMICALS.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

MARCH 20TH, 2001

Adopted

TOWN OF RIVERHEAD

RESOLUTION# 293

AUTHORIZATION TO PUBLISH BID FOR CHEMICALS

COUNCILMAN KENT offered the following resolution which was seconded by COUNCILMAN DENSLESKI.

BE IT RESOLVED, that the Town Board hereby authorized the Town Clerk to advertise for sealed bids for the purchase of **CHEMICALS** for use by the Town of Riverhead.

BE IT RESOLVED, the Town Clerk is hereby authorized to publish and post the following public notice in the **MARCH 29TH**, 2001 issue of the News Review.

BE IT RESOLVED, that the Town Clerk be, and hereby is, authorized to forward a copy of this resolution to the Purchasing Department.

THE VOTE

Densleski Yes No Cardinale Yes No

Kent Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE TO BIDDERS**

Sealed bids for the purchase of **CHEMICALS** for use by the TOWN OF RIVERHEAD will be received by the Town Clerk of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, 11901, until 11:10 a.m. on APRIL 6TH, 2001..

Bid packets, including Specifications, may be obtained at the Town Clerk's office at Town Hall Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

All bids must be submitted on the bid form provided. Any and all exceptions to the Specifications must be listed on a separate sheet of paper, bearing the designation "EXCEPTIONS TO THE SPECIFICATIONS" and be attached to the bid form.

The Town Board reserves the right and responsibility to reject any or all bids or to waive any formality if it believes such action to be in the best interest of the Town.

All bids are to be submitted to the Town Clerk's Office in a sealed envelope bearing the designation **BIDS FOR CHEMICALS.**

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

Barbara Grattan, Town Clerk

3/20/01

Adopted

AWARDS BID
CONSTRUCTION OF PLANT NO. 12
CONTRACT NO. 1 WELL & WELL PUMP WORK
CONTRACT NO. 2 GENERAL CONSTRUCTION & MECHANICAL
CONTRACT NO. 3, ELECTRICAL WORK

RIVERHEAD WATER DISTRICT

Adopted 03/20/01

RESOLUTION # 294

COUNCILMAN CARDINALE offered the following resolution
which was seconded by COUNCILMAN DENSIENSKI,

WHEREAS, this Town Board did authorize the advertisement for
bids for the construction of Plant No. 12, and

WHEREAS, the Town Clerk was authorized to advertise for such
bids, and

WHEREAS, all bids received were opened and read aloud on the
date and time advertised in the notice, and

WHEREAS, it has been recommended by H2M, consulting engineers
to the Riverhead Water District, by letter dated March 6, 2001,
that the bids be awarded as follows:

Well & Well Pump Work
To: Delta Well & Pump Co.
97 Union Avenue, P. O. Box 1309
Ronkonkoma, NY 11779 \$82,250.00
(Sum of item 1, 2, 3, 5, 6, 7, 8, 9 & 10)

General Construction & Mechanical Work
To: Philip Ross Industries, Inc.
200 Long Island Avenue
Wyandanch, NY 11798 \$122,210.00
(sum of items 1 through 7)

Electrical Work
To: Wire to Water
136 Gazza Blvd.
Farmingdale, NY 11735 \$242,917.00
(sum of items 1 through 4)

NOW, THEREFORE, BE IT

RESOLVED, that the bid for the construction of Plant No. 12

be and are hereby awarded as follows:

Well & Well Pump Work
 To: Delta Well & Pump Co.
 97 Union Avenue, P. O. Box 1309
 Ronkonkoma, NY 11779 \$82,250.00
 (Sum of item 1, 2, 3, 5, 6, 7, 8, 9 & 10)

General Construction & Mechanical Work
 To: Philip Ross Industries, Inc.
 200 Long Island Avenue
 Wyandanch, NY 11798 \$122,210.00
 (sum of items 1 through 7)

Electrical Work
 To: Wire to Water
 136 Gazza Blvd.
 Farmingdale, NY 11735 \$242,917.00
 (sum of items 1 through 4)

RESOLVED, that the Town Clerk forwarded certified copies of this resolution to the above named contractors; Frank Isler, Esq.; H2M, and Gary Pendzick, and the Accounting Department, be it further

RESOLVED, that the Town clerk is hereby authorized to return to all the unsuccessful original bidders their respective bid security and it is further

RESOLVED, that upon completion of fully executed contracts and the filing of said contract with the Town Clerk, the Town Clerk is hereby authorized to release to the successful bidder the bidder's bid security.

THE VOTE

Densleski Yes ___ No ___ Cardinalo Yes ___ No ___
 Kent Yes ___ No ___ Lull Yes ___ No ___
 Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___
 THEREUPON DULY ADOPTED

MARCH 20TH, 2001

Adopted

TOWN OF RIVERHEAD

AWARDS BID FOR
MOBILE ELECTRO-HYDRAULIC JACKS

RESOLUTION # 295

COUNCILMAN CARDINALE offered the following resolution, which was seconded
by COUNCILMAN LULL.

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for MOBILE ELECTRO-HYDRAULIC JACKS /.

WHEREAS, one bid was received, opened, and read aloud on the 2nd day of MARCH, 2001, at 11:15 a.m. at Town Hall, 200 Howell Avenue Riverhead, New York 11901, the date, time, and place given in the notice to bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for **MOBILE ELECTRO HYDRAULIC JACKS** be and is hereby awarded to STERTIL KONI U.S.A. in the amount of \$28,500.00 for a set of four (4).

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to STERTIL KONI, USA, Municipal Garage and the Purchasing Department.

THE VOTE
Densleski Yes No Cardinale Yes No
Kent Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

TOWN OF RIVERHEAD

561
Adopted

AWARDS BID FOR SNACK VENDOR SERVICES

RESOLUTION # 296

COUNCILMAN DENSIENSKI offered the following resolution, which was seconded by
COUNCILMAN KENT

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for **SNACK VENDOR SERVICES**;

WHEREAS, bids were received, opened, and read aloud on the 10th day of April, 2000, at 11:05 a.m. at Town Hall, 200 Howell Avenue Riverhead, New York 11901, the date, time, and place given in the notice to bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for **SNACK VENDOR SERVICES**, be and is hereby awarded to Leroy Hines at \$1100.00 for Stotzky's Park.

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Leroy Hines, the Recreation Department and the Purchasing Department.

THE VOTE

Densieski Yes ___ No ___ Cardinalo Yes ___ No ___

Kent Yes ___ No ___ Lull Yes ___ No ___

Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT ___

THEREUPON DULY ADOPTED

March 20th, 2001

Adopted

TOWN OF RIVERHEAD
AWARDS BID FOR PROPANE
RESOLUTION # 297

by COUNCILMAN LULL offered the following resolution, which was seconded
by COUNCILMAN DENSIESKI

WHEREAS, the Town Clerk was authorized to publish and post a notice to bidders for PROPANE;

WHEREAS, bids were received, opened, and read aloud on the 1st day of February, 2001, at 11:05 a.m. at Town Hall, 200 Howell Avenue Riverhead, New York 11901, the date, time, and place given in the notice to bidders.

NOW, THEREFORE, BE IT

RESOLVED, that the bid for PROPANE, be and is hereby awarded to Columbia Propane from March 24th, 2001 to March 4th, 2002 for \$.32 over the Texaco Selkirk, New York, pipeline prices.

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Columbia Propane and the Purchasing Department.

THE VOTE
Densieski Yes No Cardinale Yes No
Kent Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

MARCH 19, 2001

⁵⁶³
Adopted

TOWN OF RIVERHEAD

SUFFOLK THEATER CURBS AND ALLEYWAY IMPROVEMENT

BUDGET ADJUSTMENT

RESOLUTION # 298

COUNCILMAN LULL

offered the following resolution ,

which was seconded by COUNCILMAN DENSIESKI

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

406.095731.494200.43004	SERIAL BOND PROCEEDS	FROM:	\$10000.00
		TO:	
406.054100.541206	SIDEWALK CONSTRUCTION		\$10000.00

THE VOTE

Cardinale Yes No Densieski Yes No
 Kent Yes No Lull Yes No
 Kozakiewicz Yes No

MARCH 20, 2001

TOWN OF RIVERHEAD

Adopted

Resolution # 299

MUNICIPAL GARAGE RENOVATION PROJECT

BUDGET ADOPTION

COUNCILMAN KENT offered the following resolution,
which was seconded by COUNCILMAN DENSIESKI

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget:

406.095731.494200.40088	SERIAL BONDS	FROM:	\$1,500,000.
406.016900.522150.40088	CONSTRUCTION	TO:	\$995,000.
406.016900.524000.40088	EQUIPMENT		250,000.
406.016900.543505.40088	ENGINEERING		125,000.
406.016900.547900.40088	CONTINGENCY		130,000.

THE VOTE

Cardinale Yes No Densieski Yes No
 Kent Yes No Lull Yes No
 Kozakiewicz Yes No

TOWN OF RIVERHEAD

Adopted

GENERAL FUND

BUDGET ADJUSTMENT

RESOLUTION # 300

COUNCILMAN CARDINALE offered the following resolution ,

which was seconded by COUNCILMAN DENSIESKI

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

		FROM:	
001.099010.595114	TRANSFER FROM RVHD SEWER DISTRICT	\$8,000.	
			TO:
001.080250.547600	SEED CLAM PROGRAM, SEED CLAMS.		\$1800.00
001.080250.542505	SEED CLAM PROGRAM BUILDING MATERIALS		\$6200.00
		FROM:	
001.014200.524350	TOWN ATTORNEY, BOOKS	\$205.00	
			TO:
001.014200.542380	TOWN ATTORNEY OFFICE EQUIPMENT		\$205.00

THE VOTE

Cardinale Yes No Densieski Yes No
 Kent Yes No Lull Yes No
 Kozakiewicz Yes No

MARCH 20, 2001

TOWN OF RIVERHEAD

Adopted

Resolution # 301

TALL TREE ACRES @ WADING RIVER

WATER EXT.

BUDGET ADJUSTMENT

COUNCILMAN DENSIESKI offered the following resolution ,
which was seconded by COUNCILMAN LULL

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

406.092705.421050.60057	DEVELOPER FEES	FROM: \$47,000.
406.083200.523002.60057	CONSTRUCTION OF WATER MAINS	TO: \$30,400.
406.083200.543501.60057	ENGINEERING EXPENSE	6,350.
406.083200.543315.60057	LEGAL EXPENSE	1,500.
406.083200.547900.60057	CONTINGENCY EXPENSE	8,750.

THE VOTE

Cardinale Yes No Densieski Yes No
 Kent Yes No Lull Yes No
 Kozakiewicz Yes No

Adopted

TOWN OF RIVERHEAD

Resolution # 302

RIVERHEAD SEWER DISTRICT

BUDGET ADJUSTMENT

COUNCILMAN CARDINALE offered the following resolution ,
which was seconded by COUNCILMAN KENT

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

		FROM:	
114.000000.390599	APPROPRIATED FUND BALANCE.	\$30,000.	
			TO:
114.081100.547510	D.E.C. STIPULATION EXPENSE		\$22,000.
114.099010.595001	TRANSFER TO GENERAL FUND (SEED CLAMS)		8,000.

THE VOTE

Cardinale Yes No Densieski Yes No
 Kent Yes No Lull Yes No
 Kozakiewicz Yes No

TOWN OF RIVERHEAD

Adopted

Resolution # 303

SPECIAL TRUST
BUDGET ADJUSTMENT

COUNCILMAN DENSIESKI offered the following resolution,
which was seconded by COUNCILMAN CARDINALE

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

Table with 3 columns: Item ID, Description, Amount. Includes items like PARK & REC. FEES, TRANSFER TO CHILDREN'S PLAYGROUND CAPITAL PROJECT, and TRANSFER TO 2001 RECREATION CAPITAL IMPROVEMENT PROJECT.

THE VOTE

Cardinale [X] Yes [] No Densieski [X] Yes [] No
Kent [X] Yes [] No Lull [X] Yes [] No
Kozakiewicz [X] Yes [] No

Adopted

March 20, 2001

TOWN OF RIVEHREAD

Resolution # 304

2001 RECREATION CAPITAL IMPROVEMENT PROJECT
BUDGET ADOPTION

Councilman Lull offered the following resolution, which was seconded by Councilman Densieski.

BE IT RESOLVED, that the Supervisor be and is hereby authorizes to establish the following budget:

406.095031.481900.70049 SPECIAL TRUST TRANSFERS **FROM:**
\$26,500.

TO:
406.071100.523007.70049 Bayberry Park Parking Improv. Dist. \$6,000.
406.071800.523007.70049 WR Beach Parking Improvement \$20,500.

THE VOTE
Densieski Yes No Cardinale Yes No
Kent Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

MARCH 20, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 305CHILDREN'S PLAYGROUND @ STOTZKY PARKCAPITAL PROJECTBUDGET ADJUSTMENTCOUNCILMAN KENT

offered the following resolution ,

which was seconded by COUNCILMAN CARDINALE

BE IT RESOLVED, that the Supervisor be and is hereby authorized to establish the following budget adjustment:

FROM:

406.095031.481900.70049	TRANSFER FROM SPECIAL TRUST	\$49,825.
406.071100.522100.70037	COMFORT STATION IMPROVEMENT	100.
406.071100.523007.70037	PARKING LOT IMPROVEMENT	1,000.
406.071100.523008.70037	DRAINAGE CONSTRUCTION	2,500.
406.071100.523014.70037	LIGHTING INSTALLATION	3,000.
406.071100.523020.70037	FENCE INSTALLATION	3,550.
406.071100.523907.70037	PLAYGROUND EQUIPMENT	18,500.
406.071100.541203.70037	LANDSCAPING EXPENSE	37,525.

TO:

406.071100.543011.70037	PLAYGROUND IMPROVEMENTS	\$116,000.
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THE VOTECardinale Yes NoDensieski Yes NoKent Yes NoLull Yes NoKozakiewicz Yes No

3/20/01

Adopted

TOWN OF RIVERHEAD

Resolution # 306

ACCEPTS A CERTIFICATE OF DEPOSIT FOR EDWARD A MEIER

COUNCILMAN CARDINALE

offered the following resolution,

which was seconded by

COUNCILMAN LULL

WHEREAS, Edward A Meier has posted a Certificate of Deposit in the sum of Six Thousand Dollars (\$6,000) representing the 5% site plan security for the work to be performed at 1715 Old Country Road, Riverhead, New York 11901, Suffolk County Tax Map # 600-101.00-01-010.02 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

WHEREAS, the Town Attorney has review said certificate to deposit and deems it to be sufficient in its form.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% security in the sum of Six Thousand Dollars (\$6,000); and,

BE IT FURTHER RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Edward A Meier, PO Box 136, South Jamesport, New York 11970, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

3/20/01

Adopted**TOWN OF RIVERHEAD**

Resolution # 307

**ACCEPTS CASH SECURITY DEPOSIT FOR FRONT & CENTER
PROPERTIES****COUNCILMAN KENT**

offered the following resolution,

which was seconded by

COUNCILMAN DENSIESKI

WHEREAS, Front & Center Properties / Robert Patchel has posted a cash bond in the sum of Twelve Thousand Six Hundred Ninety Five Dollars (\$12,695) representing the 5% site plan security for the work to be performed at 46 Front Street, So Jamesport, New York 11970, Suffolk County Tax Map # 600-092.00-03-041.00 pursuant to Section 108-133 (I) of the Riverhead Town Code; and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby accepts the 5% cash security in the sum of Twelve Thousand Six Hundred Ninety Five Dollars (\$12,695); and,

BE IT FURTHER RESOLVED, that the Town of Riverhead is hereby authorized to forward a certified copy of this resolution to Robert Patchel, PO Box 81, South Jamesport, New York 11970, the Building Department; the Planning Department and the Town Attorney's Office.

THE VOTECardinale Yes NoDensieski Yes NoKent Yes NoLull Yes NoKozakiewicz Yes No

The Resolution Was Was Not
Thereupon Duly Declared Adopted

Adopted

TOWN OF RIVERHEAD

Resolution # 308

ACCEPTS S.C.N.B. IRREVOCABLE LETTER OF CREDIT OF ZOUMAS CONTRACTING CORP. (ROAD & DRAINAGE IMPROVEMENTS - "THE MEADOWS AT AQUEBOGUE")

COUNCILMAN LULL

offered the following resolution, was seconded by

~~COUNCILMAN CARDINALE~~

WHEREAS, by resolution adopted on January 5, the Riverhead Planning Board did conditionally approve the preliminary plat of the "The Meadows at Aquebogue", with one of the conditions of final approval being the submission and filing of a performance bond or other acceptable form of performance security in the amount of \$512,000.00 covering the road and drainage improvements within said subdivision; and

WHEREAS, Zoumas Contracting Corp. has submitted to the Town an Irrevocable Letter of Credit drawn by Suffolk County National Bank, Letter of Credit No. 010131B in the amount of \$512,000.00, having an expiration date of January 31, 2002; and

WHEREAS, the Town Attorney has reviewed said S.C.N.B. Irrevocable Letter of Credit No. 010131B and has determined that same is satisfactory in its form.

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Riverhead hereby accepts S.C.N.B. Irrevocable Letter of Credit No. 010131B in the amount of \$512,000.00, having an expiration date of January 31, 2002, covering the road and drainage improvements within said subdivision; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peter S. Danowski, Jr., Esq., as attorney for Zoumas Contracting Corp., 616 Roanoke Avenue, P.O. Box 779, Riverhead, New York, 11901; the Planning Department; the Planning Board; the Building Department and the Office of the Town Attorney.

THE VOTE
Densleski Yes ___ No ___ Cardinale Yes ___ No ___
Kent Yes ___ No ___ Lull Yes ___ No ___
Kozakiewicz Yes ___ No ___
THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY ADOPTED

March 20, 2001

Adopted

TOWN OF RIVERHEAD

Resolution # 309

AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING – SPECIAL PERMIT OF JOHN & SANDRA REEVE (BED & BREAKFAST)

COUNCILMAN DENSLESKI offered the following resolution which was seconded by COUNCILMAN KENT

WHEREAS, the Town Board of the Town of Riverhead is in receipt of a special permit petition pursuant to Sections 108-64.5 and 108-15 C(2) of the Town Code from John and Sandra Reeve for operation of a bed and breakfast facility in an existing dwelling located at Whites Road, Aquebogue; such real property more particularly described as Suffolk County Tax Map No. 0600-86-4-12.10, and

WHEREAS, the Riverhead Town Board by resolution #945 of 2000 declared themselves Lead Agency, and

WHEREAS, such petition has been referred to the Riverhead Planning Board for its report and recommendation; such Planning Board recommending the approval of the special permit, and

WHEREAS, the Town Board desires to hold a hearing upon the subject petition pursuant to Section 108-3 of the Town Code, now

THEREFORE BE IT

RESOLVED, that the Town Clerk be authorized to publish and post the attached notice of public hearing in the official newspaper of the Town of Riverhead.

THE VOTE
Densleski Yes No Cardinale Yes No
Kent Yes No Lill Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE, that a public hearing will be held on the 17th day of April, 2001 at 7:20 o'clock p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to consider the special permit petition of John and Sandra Reeve to establish a bed and breakfast facility at premises located at Whites Road, Aquebogue; such real property more particularly described as Suffolk County Tax Map No. 0600-86-4-12.10.

DATED: March 20, 2001
Riverhead, New York

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, TOWN CLERK

3/20/01

576
Adopted

TOWN OF RIVERHEAD

Resolution # 310

**AUTHORIZES TOWN CLERK TO POST AND PUBLISH PUBLIC NOTICE FOR
PUBLIC HEARING REGARDING A LOCAL LAW TO REPEAL AND REPLACE
CHAPTER 64 (FIRE PREVENTION) OF THE RIVERHEAD TOWN CODE**

COUNCILMAN DENSIESKI

offered the following resolution,

which was seconded by **COUNCILMAN CARDINALE**:

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish the attached public notice to consider a local law to repeal and replace Chapter 64 entitled, "Fire Prevention" of the Riverhead Town Code once in the March 29, 2001 issue of News Review, the newspaper hereby designated as the official newspaper for this purpose, and to post same on the signboard in Town Hall; and be it further

RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to the Building Department; the Riverhead Fire Marshal; the Planning Board; the Planning Department and the Board of Fire Commissioners.

THE VOTE
Densieski Yes No Cardinale Yes No
Kent Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held on the 17th day of April, 2001 at 7:15 o'clock p.m., at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider a local law to repeal and replace Chapter 64 entitled "Fire Prevention" of the Riverhead Town Code.

A copy of the entire text of the proposed local law may be reviewed at the Office of the Town Clerk, 200 Howell Avenue, Riverhead, New York, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.

Dated: Riverhead, New York
April 3, 2001

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD**

BARBARA GRATTAN, Town Clerk

List of Articles

Article I General Provisions

Article II Definitions

Article III Administration

Article IV	Mitigation of Hazardous Condition or Occurrence
Article V	Dangerous or Hazardous Conditions and Unsafe Practices
Article VI	Smoking Regulations
Article VII	Fire Department Access and Operations
Article VIII	Precautions Against Fire
Article IX	Hazardous Chemicals and Materials
Article X	Automobile Wrecking Yards, Junkyards and Waste Material Handling Plants
Article XI	Dry-Cleaning Plants
Article XII	Explosives
Article XIII	Fireworks
Article XIV	Flammable and Combustible Liquids
Article XV	Automotive Repair Facility
Article XVI	Storage and Handling of Combustible Materials
Article XVII	Lumberyards and Woodworking Plants
Article XVIII	Welding and Cutting
Article XX	Hot Tar Work for Building Roof Repairs
Article XXI	Liquefied Petroleum Gases

- Article XXII Places of Assembly
- Article XXIII Posting of Street Address
- Article XXIV Rapid Access Key Boxes

Chapter 64, FIRE PREVENTION

[HISTORY: Adopted by the Town Board of the Town of Riverhead 7-15-1958 by Ord. No. 2; amended in its entirety 11-3-1999 by L.L. No. 17-1999. Subsequent amendments noted where applicable.] *Repealed in its entirety and adopted in its current form April ??, 2001, to incorporate and confirm to the provisions of the New York State Uniform Fire Prevention and Building Code*

GENERAL REFERENCES

- Alarm systems -- See Ch. 45.
- Building construction -- See Ch. 52.
- Unsafe buildings and collapsed structures -- See Ch. 54.
- Electrical wiring and installations -- See Ch. 60.
- Housing standards -- See Ch. 68.
- Junk dealers -- See Ch. 71.
- Laundries and dry-cleaning establishments -- See Ch. 74.
- Liquefied petroleum gases -- See Ch. 75.

ARTICLE I, General Provisions

§64-1. General Provisions.

Those rules and regulations promulgated pursuant to Article 18 of the Executive Law of the State of New York for Building Construction and Fire Prevention, are applicable only to buildings and construction in the Town of Riverhead as permitted pursuant to Article 18; said rules and regulations are hereinafter referred to as "the New York State code."

§64-2. Intent.

It is the intent of this chapter to prescribe regulations consistent with the rules promulgated pursuant to Article 18 of the Executive Law of the state of New York. This chapter of the Town of Riverhead code, hereinafter referred to as "the Town Fire Prevention Code," shall prescribe nationally recognized good practice for the safeguarding to a reasonable degree of life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the use or occupancy of buildings or premises.

§ 64-3. Enforcement; appointment of Fire Marshals.

- A. This chapter shall be enforced by the Fire Marshal(s) and other Certified New York State Code Enforcement Officials (CEO) employed by the Town of Riverhead and duly authorized by the Riverhead Town Board.
- B. The Town Board may appoint one or more Fire Marshals and Deputy Fire Marshals as permitted under the Town Law to fulfill the duties of Fire Inspector as defined in Town Law, Section §138.

§ 64-4. Authority to enter premises.

The Fire Marshal or CEO may enter any building or premises for the purpose of making any inspection or investigation, as permitted pursuant to Article 18 of the Executive Law of the State of New York, which, under the provisions of this chapter, he or they may deem necessary to be made.

§ 64-5. Inspection of building premises.

It shall be the duty of the Fire Marshal or CEO to inspect all buildings and premises, subject to this Chapter, as often as may be necessary for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire or any violations of the provisions or intent of this chapter and of any other ordinance affecting the fire hazard.

§ 64-6. Service of orders or notice of violation.

The service of orders to remedy violations or notice of violation shall be served in accordance with the Criminal Procedures Law (CPL) of the State of New York.

ARTICLE II, Definitions

§ 64-7. Definitions.

Unless otherwise expressly stated, the following terms shall, for the purpose of this chapter, have the meanings indicated in this section:

APPROVED -- Accepted by the Fire Marshal or CEO as a result of his investigation and experience or by reason of test, listing or approval by Underwriters' Laboratories, Inc., the National Bureau of Standards, the American Gas Association Laboratories, National Fire Protection Association Standard or other nationally recognized testing agencies.

AUTOMATIC FIRE ALARM SYSTEM – An approved installation of equipment which automatically actuates a fire alarm signal when the detecting element(s) are exposed to fire, smoke or abnormal rise in temperature.

CEO – Certified Code Enforcement Official. An employee of the Town who has been trained as an enforcement official for the New York State Code and is authorized by the Town Board to enforce same in the municipality.

CHIEF OF THE FIRE DEPARTMENT (or the plural thereof) -- The Chief of the Fire Department in the fire district or fire protection district in which the premises affected are located.

CLOSED CONTAINER -- A container so sealed by means of a lid or other device that neither liquid nor vapor will escape from it at ordinary temperatures.

CORROSIVE LIQUIDS -- Includes those acids, alkaline caustic liquids and other corrosive liquids which, when in contact with living tissue, will cause severe damage of such tissue by chemical action or, in case of leakage, will materially damage or destroy other containers or other hazardous commodities by chemical action and cause the release

of their contents or are liable to cause fire when in contact with organic matter or with certain chemicals. Corrosive liquids are those that have a pH less than four or greater than ten.

DRY CLEANING -- The process of removing dirt, grease, paints and other stains from wearing apparel, textiles, fabrics, rugs, etc., by the use of nonaqueous liquid solvents, flammable or nonflammable, and includes the process of dyeing clothes or other fabrics or textiles in a solution of dye colors and nonaqueous liquid solvents.

FIRE DISTRICT -- Includes the term "fire protection district" unless otherwise stated.

FIRE INSPECTOR or INSPECTOR (or the plural of these) -- The Fire Inspector as defined under Town Law §138.

FIRE MARSHAL -- The Civil Service Title for the position responsible for the duties of Fire Inspector as defined under Town Law §138. The Fire Marshal shall also discharge such other lawful duties and responsibilities as authorized by the Town Board.

FLAMMABLE SOLID -- Includes a solid substance, other than one classified as an explosive, which is liable to cause fires through friction, through absorption of moisture, through spontaneous chemical change or as a result of retained heat from manufacturing or processing.

FLAMMABLE LIQUID -- Any liquid having a flash point below 200° F. and having a vapor pressure not exceeding 40 pounds per square inch (absolute) at 100° F.

FLASH POINT -- The minimum temperature in degrees Fahrenheit at which a flammable liquid will give off flammable vapor, as determined by appropriate test procedure and apparatus as specified in ARTICLE XII.

HIGHLY TOXIC MATERIAL -- A material so toxic to man as to afford an unusual hazard to life and health during fire-fighting operations or during an unintended release of said material into the environment. Examples are parathion, TEPP (tetraethyl phosphate), BETP (hexaethyl tetraphosphate) and similar insecticides and pesticides.

I.C.C. CONTAINER -- Any container approved by the Interstate Commerce Commission for shipping any liquid, gaseous or solid material of a flammable, toxic or other hazardous nature.

LIQUEFIED PETROLEUM GAS -- Any material which is composed predominantly of any of the following hydrocarbons or mixtures of them: propane, propylene, butane (normal butane or isobutane) and butylenes.

MOBILE FUELING -- the operation of re-fueling motor vehicles, water craft, boats or aircraft at any site by the use of a fuel transport vehicle that is equipped with a delivery system to pump gasoline, marine fuel, aviation fuel and/or diesel fuel.

MUNICIPALITY -- The Town of Riverhead, Suffolk County, New York.

NATIONAL FIRE PROTECTION ASSOCIATION -- international association organized in 1896 to promote the science and improve the methods of fire protection and prevention, electrical safety and other related safety goals. Publisher of the 12 volumes of National Fire Codes; a compilation of Codes, Standards and Recommended Practices and Guides.

NFPA see National Fire Protection Association

OWNER -- Includes his duly authorized agent or attorney, a purchaser, devisee, fiduciary and a person having a vested or contingent interest in the property in question.

PERSON -- Includes corporation and partnership as well as an individual.

PLACE OF PUBLIC ASSEMBLY -- An area of public assembly is a building or portion of a building used for gathering together 50 or more persons for amusement, athletic, civic, dining, educational, entertainment, patriotic, political, recreational, religious, social or similar purpose, the entire fire area of which is part, and the means of egress there from.

OXIDIZING MATERIAL -- Includes substances such as chlorates, permanganates, peroxides or nitrates that yield oxygen readily to stimulate combustion.

POISONOUS GAS -- Includes any noxious gas of such nature that a small amount of the gas, when mixed with air, is dangerous to life. Examples are chlorpicrin, cyanogen hydrogen cyanide, nitrogen peroxide and phosgene.

POTENTIALLY EXPLOSIVE CHEMICAL -- Includes any chemical substance, other than one classified as an explosive or blasting agent, which has a tendency to be unstable and which can be exploded by heat or shock or a combination thereof.

RADIOACTIVE MATERIAL -- Includes any material or combination of materials that spontaneously emits ionizing radiation.

SEALED SOURCE -- A quantity of radiation so enclosed as to prevent the escape of any radioactive material but at the same time permitting radiation to come out for use.

SMALL ARMS AMMUNITION -- Any shotgun, rifle, pistol or revolver cartridges.

SMOKING -- Includes the carrying of lighted pipe, cigar, cigarette or tobacco in any form.

UL -- United Underwriters Laboratories. A nationally recognized testing lab for product safety and fire-resistance ratings.

ARTICLE III, Administration

§ 64-8. Fire prevention permit system.

A. Permit required; appeal.

(1) A permit issued pursuant to this Chapter is required and shall constitute permission to maintain, store or handle materials or to conduct processes which produce conditions hazardous to life or property by fire or release of hazardous chemicals or materials, or to install equipment used in connection with such activities. A permit shall be required for the installation of all automatic fire alarm and fire suppression systems. Such permit does not take the place of any license required by law. It shall not be transferable, and any change in use or occupancy of premises shall require a new permit. A permit shall not remain in force for more than one year from date of issuance.

(2) Whenever the Fire Marshal or CEO shall disapprove an application or refuse to grant a permit applied for or revoke a permit, or when it is claimed that the provisions of this chapter do not apply or that the true intent and meaning of this chapter has been misconstrued or wrongly interpreted, the applicant may appeal, in writing, from the decision of the Fire Marshal or CEO to the Town Board within 10 days from the date of the decision appealed. The Town Board, after receipt of such notice of appeal, may, in its discretion, stay the effect of any order pending its decision. The decision of the Town Board shall be entered upon the records of the Building Department and a copy shall be furnished to the applicant.

B. Before a permit required by this Chapter may be issued, the Fire Marshal or CEO shall make such inspections or tests as are necessary to assure that the provisions of this chapter are complied with.

C. Any permit required under the provisions of this chapter shall be issued by the Fire Marshal or CEO. This section may not be construed to relieve a permit applicant from the obligation to obtain any other required permit or approval from any other municipal or government agency.

D. **Permit Application Forms and Requirements**

1. The Fire Marshal or CEO shall determine the application information that shall be submitted by the permit applicant to ensure compliance with this Chapter of the Town Fire Prevention Code. An appropriate application form may be established by the Fire Marshal or CEO pursuant to this Chapter.

2. Installation contractors must have any necessary New York State license and/or County or local license to perform work pursuant to permits issued under the provisions of this Chapter.

3. **Preinstallation fee.** If any fire protection system is modified or commencement of any installation activity is without the benefit of applicable fire prevention permits, all fees associated with said modification or installation will be equal to double the otherwise applicable fee for all fire prevention permits as provided by the Town Code.

§ 64-9. Fire prevention permit fees

A. **Installation Fees**

1. Application for the installation, modification or removal of any fire prevention system, including but not limited to fire alarm system, fire and smoke detecting system, fire sprinkler system, fixed-pipe dry or wet chemical extinguishing system or vent system for the removal of hazardous or grease-laden vapors, shall be made to the Fire Marshal on forms provided by the Town Fire Marshal. Such forms shall contain information as may be reasonably required by the Fire Marshal to establish compliance with the applicable codes, ordinances and regulations. A fee schedule will be determined by resolution of the Town Board of the Town of Riverhead.
2. Fees required by this subsection shall include the review of requisite plans and not more than two compliance inspections. If additional inspections are necessary due to inaccurate submissions, improper installation or defective equipment, an additional fee, equal to the original application fee, shall be required, which shall permit not more than two additional inspections.
3. Installation permits shall be valid for twelve months following the date of issue

B. Annual Fire Prevention Permit and Fees

1. Application for an Annual Fire Prevention permit as required pursuant to the provisions of this Chapter of the Town Code shall be made to the Fire Marshal on forms provided by the Town Fire Marshal. Such forms shall contain information as may be reasonably required by the Fire Marshal to establish compliance with the applicable codes, ordinances and regulations. A fee schedule for annual Fire Prevention Permits will be determined by resolution of the Town Board of the Town of Riverhead.
2. Annual permits shall be valid for twelve months following the date of issue

§ 64-10. Revocation of permit.

A. The Fire Marshal or CEO may revoke a permit or approval issued if any violation of this chapter is found upon inspection or in case there has been any false statement or misrepresentation as to a material fact in the application or plans on which the permit or approval was based.

B. The violation of any Federal, New York State or Suffolk County laws, Town of Riverhead or of any rules or regulations lawfully issued by any agency of the aforesaid governments shall be sufficient grounds for refusal to grant a permit under authority of this chapter, and such a violation shall be sufficient grounds for revocation of such a permit after it has been issued.

§ 64-11. Liability for damages.

The issuance of any permit, issuance of any certificate of completion or the performance of any inspection shall not subject the Town of Riverhead, any fire district or Fire Department therein or any officers or employees thereof to any liability for any damage to persons or property.

§ 64-12. Inspection of premises and determination of equipment to be provided.

The Fire Marshal or CEO shall inspect all buildings as permitted pursuant to Article 18 of the Executive Law of the State of New York to determine appropriate fire alarm devices or extinguishing appliances which shall be required to comply with the New York State code.

§ 64-13. Maintenance of equipment.

- A. Any equipment which shall have been installed in accordance herewith, shall be maintained in operative condition at all times and all fire alarm and fire sprinkler systems shall have an operational audible alarm outside of the building to call attention to the fact that the system is in operation. Any fire protection equipment, fire alarm system or fire sprinkler system that causes false fire alarm notifications shall be deemed an improperly maintained system and thereby a violation of this section of the Town of Riverhead Code, § 64-13.
- B. It shall be unlawful for any owner or occupant to reduce the effectiveness of any equipment installed pursuant hereto, except this shall not prohibit the owner or occupant from temporarily reducing or discontinuing the protection where necessary to make tests, repairs, alterations or additions. The Fire Marshal or CEO and Fire Chief shall be notified before such tests, repairs, alterations or additions are started.
- C. Sprinkler systems, standpipe systems, fire alarm systems and other fire protective or extinguishing systems or appliances shall be tested each year, and a written report of such test shall be filed with the Fire Marshal or CEO within 10 days of such test.
- D. All portable fire extinguishers shall be annually inspected and tested as required by NFPA 10. The inspection shall be performed by an appropriately licensed fire extinguisher service company who will display such license number on the inspection tag. The inspection tag shall also display the name of the inspecting company, address, phone number, month and year of inspection and the serial number of the fire extinguisher.
- E. All oil fired, propane or natural gas hot water heaters and heating equipment; shall be maintained in operative condition at all times. Said appliances shall be maintained in accordance with manufacturers instructions and inspected by a qualified service technician at the frequency required or recommended by the manufacturer. In the absence of such manufacturer's recommendation or requirement, an annual inspection by a qualified technician shall be performed. A written copy of such inspection report shall be kept on the premises and made available for inspection by the Fire Marshal or CEO upon request. Pressure Boilers regulated by the Department of Labor and which receive bi-annual pressure-vessel inspections are not subject to this sub-section.

ARTICLE IV, Mitigation of Hazardous Condition or Occurrence**§ 64-14. General provisions.**

- A. It shall be the duty of the Town Fire Marshal and the Riverhead Town Police Department, upon request, to assist the local Fire Department, the local Fire District or any other duly authorized agency in the mitigation of any hazardous condition or occurrence which might present a clear and present danger to the health, safety and welfare of the general public when such event shall occur in the town.
- B. It shall be the duty of the Town Fire Marshal to assist any Fire Department, Fire District, municipality or any other duly authorized agency not within or part of the Town

of Riverhead when assistance is requested by such Fire Department, Fire District, municipality or duly authorized agency in the mitigation or investigation of the origin, cause and circumstances of any fire or hazardous condition or occurrence which might present a clear and present danger to the health, safety and welfare of the general public, regardless of the place of occurrence, provided that the Town Supervisor or his designee shall first approve the renderings of such assistance.

C. The person or entity responsible for the spill, discharge or other release of any material that creates any hazardous condition or occurrence as described in §64-13A above shall be responsible to reimburse the town for all expenses incurred by the Town for the mitigation and investigation of the hazardous condition or occurrence. This section shall not apply to accidental spills or releases of home heating oil, residential swimming pool treatments or similar materials within or on the premises of owner-occupied single-family dwellings, unless such spill or release was due to a negligent or intentional act.

D. It shall be the duty of the Fire Department, Fire District, municipality or other duly authorized agency not within or part of the Town of Riverhead to provide all necessary assistance in identifying the person or entity responsible for any spill, discharge or other release as described in § 64-13C above and all reasonable assistance in obtaining reimbursement for the Town of Riverhead there from.

ARTICLE V, Dangerous or Hazardous Conditions and Unsafe Practices

§ 64-15. Orders to eliminate dangerous or hazardous conditions.

Whenever any Fire Marshal or CEO, as mentioned in § 64-3, shall find in any building or upon any premises dangerous or hazardous conditions or materials as follows, the Fire Marshal or CEO shall order such dangerous conditions or materials to be removed or remedied in such manner as may be specified by the Fire Marshal or CEO.

A. Any violation of the provisions of the New York State Fire Prevention Code, as promulgated pursuant to Article 18 of the Executive Law of the state of New York, shall be deemed a violation of this section of the Town of Riverhead Fire Prevention Code and subject to the penalties defined herein.

ARTICLE VI, Smoking Regulations

§ 64-16. Authority to order posting of no-smoking signs.

Where conditions are such as to make smoking a hazard in any areas of piers, wharves, warehouses, stores, industrial plants, institutions, places of assembly and in open spaces where combustible materials are stored or handled, the Fire Marshal is empowered and authorized to order the owner or occupant, in writing, to post "No Smoking" signs in each building, structure, room or place in which smoking shall be prohibited. The Fire Marshal shall designate specific safe conditions, if necessary, in any building, structure or place where smoking may be permitted.

§ 64-17. Sign regulations.

No smoking signs of approved-size lettering and in locations required in accordance with § 64-15 shall read "By Order of the Fire Marshal."

§ 64-18. Prohibited acts.

It shall be unlawful for any person to remove any legally required no-smoking sign or to smoke in any place where such signs are posted.

ARTICLE VII, Fire Department Access and Operations**§ 64-19 Obstruction of fire apparatus.**

A vehicle must not be driven so as to impede or obstruct the progress of the apparatus of a Fire Department or of any official or employee of the town in the discharge of his duty at a fire. The operator of a vehicle not a part of the municipal fire apparatus shall not operate in, through or within the established fire lines. Upon the approach of fire apparatus, as evidenced by suitable and continuous warning, the operator of a vehicle which is not a part of the fire apparatus must immediately draw up such vehicle as near as practicable to the right-hand curb and parallel thereto and bring it to a standstill until the fire apparatus has passed.

§ 64-20 Parking near buildings on fire.

No vehicle of any kind, except fire apparatus or other emergency vehicle, shall at any time be parked or stopped within the fireline established by the fire department at any building which is on fire. Any vehicle which shall be parked in violation of this section may be summarily removed by the Police Department at the request of the Fire Chief and subject to the penalties set forth in this Chapter.

§ 64-21 Parking in Fire Lanes and Fire Zones

No vehicle of any kind, except fire apparatus or other emergency vehicle, shall at any time shall park, stand or stop in a fire lane or fire zone which is so marked and designated in accordance with the Vehicle and Traffic laws at any building at which the fire department is engaged in firefighting or other emergency operations. Any vehicle which shall be parked in violation of this section may be summarily removed by the Police Department at the request of the Fire Chief and subject to the penalties set forth in this Chapter.

§ 64-22 Driving over fire equipment.

No vehicle of any kind not a part of the municipal fire apparatus shall at any time be driven over fire hose or other fire equipment. Said action causing damage or disruption of fire apparatus shall be subject to the penalties set forth in this Chapter.

§ 64-23. False fire alarms.

No person or persons shall willfully or designedly make or raise a false cry of fire or cause a false alarm to be sounded.

§ 64-24. Interference with Fire Department, Fire Marshal or CEO.

- A. No person or persons shall at any time interfere with the work of a Fire Department at any fire or in the course of any work incidental thereto.
- B. No person or persons shall at any time interfere with any Fire Marshal or CEO in the performance of his duties or in carrying out an inspection or in the performance of any other duties as such representative.

ARTICLE VIII, Precautions Against Fire

§ 64-25. Outdoor fires.

A. Permit required

1. No person shall ignite or maintain any outdoor fire, except a fire used exclusively to cook food for human consumption, without first having obtained a Burn Permit from the Town Fire Marshal and any other required agency.

2. No person shall kindle or maintain an outdoor fire to be unsafe or hazard-producing as determined by the Fire Chief; Fire Marshal; State Forest Ranger; State, County or Town Police Officer, who may immediately suspend or revoke any burn permit previously issued.

B. Who may prohibit. The Chief of the Fire Department or the Fire Marshal may prohibit any or all bonfires and outdoor rubbish fires when atmospheric conditions, drought or unfavorable weather conditions or local circumstances make such fires hazardous.

§ 64-26. Kindling of fire on land of others restricted.

No person shall kindle a fire upon the land of another without written permission of the owner thereof or his agent.

§ 64-27. Hot ashes and other dangerous materials.

No person shall deposit hot ashes or cinders, smoldering coals or greasy or oily substances liable to spontaneous ignition into any combustible receptacle, nor place the same within 10 feet of any combustible materials except in metal or other noncombustible receptacles. Such receptacles, unless resting on a noncombustible floor or on the ground outside the building, shall be placed on noncombustible stands and in every case shall be kept at least two feet away from any combustible wall or partition or exterior window opening.

§ 64-28. Accumulation of waste materials.

Accumulations of wastepaper, hay, grass, straw, weeds, litter, wood pallets or combustible or flammable waste or rubbish of any kind shall not be permitted to remain, within 10 feet of any building, in any area designated as fire department emergency access, or in any court, yard, vacant lot, open space or upon any roof. All weeds, grass, vines or other growth, when same endangers property or is liable to be fired, shall be cut down and removed by the owner or occupant of the property.

ARTICLE IX, Hazardous Chemicals and Materials

§ 64-29. Scope.

This article shall apply to materials not otherwise covered in this chapter which are highly flammable or which may react to cause fires or explosions or which, by their presence, create or augment a fire or explosion hazard or which, because of their toxicity, flammability or liability to explosion, render fire fighting abnormally dangerous or difficult. This Article shall also apply to flammable liquids which are chemically unstable and which may spontaneously form explosive compounds or undergo spontaneous reactions of explosive violence or with sufficient evolution of heat to be a fire hazard. Hazardous chemicals shall include, but are not limited to, such materials as flammable solids, corrosive liquids, radioactive materials, oxidizing materials, potentially explosive chemicals, highly toxic materials and poisonous gases, as defined in §64-7. In addition, this article shall include all materials listed in both Parts 112 and 261 of Title 40 of the Code of Federal Regulations.

§ 64-30. Outside storage.

- A. Any chemical or material stored inside or outside of a building subject to the provisions of this Chapter, with a capacity of more than one gallon, shall be clearly labeled as to the contents, owner and responsible disposal company name and phone number.
- B. Any warning or placards required by federal, state, county or other law shall be clearly displayed in addition to that required in Section 64-34(A).

§ 64-31. Permit required.

- A. A permit shall be required for the storage or handling of: 1) more than 55 gallons of corrosive liquids; or b) more than 100 pounds of oxidizing materials; or c) more than 10 pounds of organic peroxides; or d) more than 500 pounds of nitromethane; or e) 1,000 pounds or more of ammonium nitrate, ammonium nitrate fertilizers and fertilizer mixtures covered in §64-39D or e) any amount of highly toxic material or poisonous gas.
- B. A permit shall be required for the storage or handling of more than one microcurie of radioactive material not contained in a sealed source; or more than one millicurie of other radioactive material in a sealed source or sources or any amount of radioactive material for which a specific license from the United States Atomic Energy Commission is required in accordance with nationally recognized good practice.
- C. Every permit holder shall display on the premises which stores, handles, manufactures or uses commodities within the scope of this article approved warning signs/symbols at all entrances to such premises, as directed by the Town Fire Marshal.

§ 64-32. General requirements.

- A. The manufacture, storage, handling and use of hazardous chemicals shall be safeguarded with such protective facilities in accordance with the provisions of this Chapter and any other applicable governmental laws, rules and/or regulations.
- B. The Town Fire Marshal may require the separation or isolation of any chemical that, in combination with other substances, may bring about a fire or explosion or

may liberate a flammable or poisonous gas. The Town Fire Marshal may require separation from other storage, occupancies or buildings when the quantity stored constitutes a material hazard.

- C. The manufacture, storage, handling and use of hazardous chemicals and materials shall be in accordance with the appropriate standards of the National Fire Protection Association (NFPA), except that more restrictive requirements, as specified in this article, shall take precedence over any NFPA requirements.
- D. The Town Fire Marshal may require the submission of additional documentation relating to the physical and chemical properties of any hazardous chemicals and materials.
- E. The management or owner of any building or facility wherein hazardous chemicals or materials are stored or handled shall submit an inventory of such chemicals or materials, at least annually or whenever the quantity or type of the same shall change substantially.
- F. Only chemicals or materials listed in the inventory required in Subsection E above shall be stored or handled unless the Town Fire Marshal or CEO has first given written permission for the storage or handling of additional chemicals or materials.

§ 64-33. Oxidizing material.

Packaged oxidizing materials shall be stored in dry locations and separated from stored organic materials. Bulk oxidizing materials shall not be stored on or against wooden surfaces.

§ 64-34. Radioactive materials.

- A. Durable, clearly visible signs warning of radiation dangers shall be placed at all entrances to areas or rooms where radioactive materials are used or stored. In addition, each container in which radioactive materials are used, stored or transported shall bear a durable, clearly visible, appropriate warning sign. Such signs shall bear the three-bladed radiation symbol in magenta or purple on a yellow background in accordance with the requirements of the Department of Energy.
- B. When not in use, radioactive materials shall be kept in adequately shielded fire-resistant containers of such design that the gamma radiation will not exceed 200 milliroentgens per hour or equivalent at any point of readily accessible surface.

§ 64-35. Potentially explosive materials.

- A. Explosives and blasting agents shall not be stored in the same building or in close proximity to potentially explosive chemicals.
- B. Organic peroxides.
 - (1) A detached, well-isolated, ventilated and unheated storage building constructed with walls having a fire-resistance rating of not less than two hours, a noncombustible floor and lightweight insulated roof shall be provided for the storage of 50 pounds or more of organic peroxides. If not adequately protected by a fast-acting deluge-type automatic sprinkler

system, the storage building shall be located the following minimum distances from flammable liquid storage, combustible materials in the open and from any other building or highway:

Weight of Organic Peroxide (pounds)	Distance (feet)
50 to 100	75
100 to 500	100
500 to 1,000	125
1,000 to 3,000	200
3,000 to 5,000	300

- (2) The organic peroxides shall be stored in the original shipping containers (Interstate Commerce Commission containers). Care shall be taken to avoid rough handling or contamination of these chemicals. Readily legible warning signs and placards shall be prominently placed in the storage and processing areas.

C. Nitromethane.

- (1) A suitable isolated outdoor storage area shall be provided for nitromethane. Hazardous processing shall not be permitted in the vicinity of this hazardous storage area. Nitromethane shall be stored in drums in which it is received or in an underground tank with suitable corrosion protection and a minimum of two feet of earth over the tank or in barricaded tanks above ground. If the drum storage is not adequately protected by a fast-acting deluge-type automatic sprinkler system, the storage of 2,000 pounds or more shall be located the following minimum distances from inhabited buildings:

Weight (pounds)	Number of Drums	Distance (feet)
Beginning at 2,000	4	100
Over 2,000 to 10,000	20	200
Over 10,000 to 20,000	40	300
Over 20,000 to 40,000	80	400
Over 40,000 to 80,000	160	500

- (2) Care shall be taken to avoid rough handling or contamination of this chemical. Readily legible warning signs and placards shall be prominently placed in the storage and processing areas.

D. Ammonium nitrate.

- (1) Each storage pile of bags or other authorized packages and containers of such materials shall not exceed 12 feet in height, 12 feet in width and 30 feet in length. Such pile units shall be separated by a clear space of not less than 36 inches in width from the base to the top of the piles, serving as cross aisles. At least one service or main aisle in the storage area shall be not less than four feet in width. A clearance of not less than 30 inches shall be maintained from building walls and partitions and of not less than 36 inches from ceilings or roof structural members, with a minimum of 18 inches below sprinklers.
- (2) Ammonium nitrate storage areas shall be separated by a space of 30 feet or by a tight noncombustible partition from storages of organic chemicals, corrosive liquids, compressed gases, flammable and combustible materials or other contaminating substances such as sulphur, coal, flour and metallic powders such as zinc, copper and magnesium where storage of such materials is permitted with ammonium nitrate.
- (3) Quantities of ammonium nitrate or ammonium nitrate fertilizer, having no organic coating, in the form of crystals, flakes, grains or prills, including fertilizer grade, dynamite grade, nitrous oxide grade and technical grade ammonium nitrate and ammonium nitrate phosphate (containing 60% or more ammonium nitrate by weight) of more than 50 tons' total weight shall be stored in a well-ventilated building of fire-resistive or noncombustible construction or in buildings of other types of construction equipped with an approved automatic sprinkler system. In populated areas, quantities of 2,500 tons or more shall be stored in well-ventilated buildings of fire-restrictive or noncombustible construction equipped with an approved automatic sprinkler system, and no combustible materials or ammonium nitrate sensitizing contaminants shall be stored in this building.
- (4) Storage of ammonium nitrate, coated or mixed with organic anticaking materials, except compounded blasting agents, shall not be permitted in populated and congested areas. Outside such areas, quantities of 500 tons or less may be stored in well-ventilated buildings of fire-resistive or noncombustible construction equipped with an approved automatic sprinkler system.

§ 64-36. Highly toxic materials.

- A. Highly toxic materials shall be segregated from other chemicals and combustible and flammable substances by storage in a room or compartment separated from other areas by walls and floor and ceiling assemblies having a fire-resistant rating of not less than two hours. The storage room shall be provided with adequate natural or mechanical ventilation to the outside atmosphere. The floor of said room shall be impermeable to the materials being stored within.

- B. Legible warning signs and placards stating the nature and location of the highly toxic material shall be posted at all entrances to areas where such materials are stored or used.

§ 64-37. Poisonous gases.

- A. Storage of poisonous gases shall be in rooms of at least one hour's fire-resistant construction and having natural or mechanical ventilation adequate to remove leaking gas. Such ventilation shall not discharge to a point where the gases may endanger any person.
- B. Legible warning signs and placards stating the nature and location of the highly toxic material shall be posted at all entrances to areas where such materials are stored or used.

§ 64-38. Corrosive liquids.

Provisions shall be made for containing and neutralizing any leakage of corrosive liquids which may occur during storage or handling.

ARTICLE X, Automobile Wrecking Yards, Junkyards and Waste Material Handling Plants

§ 64-39. Permit required.

No person shall engage in the business of automobile wrecking yards, junkyards or waste material handling plants without a permit issued pursuant to this Chapter.

§ 64-40. Conformance.

- A. Automobile wrecking yards, junkyards and waste material handling plants shall conform to all other applicable requirements of this chapter as well as to the provisions of this article.
- B. No automobile wrecking yard, junkyard or waste material handling plant shall be located so as to seriously expose adjoining or adjacent properties to fire hazards.

§ 64-41. Burning operations.

The burning of wrecked or discarded automobiles or any parts thereof or junk or any waste material is prohibited.

ARTICLE XI, Dry-Cleaning Plants

§ 64-43. Permit required.

- A. No person shall engage in the business of dry cleaning without a permit issued pursuant to this Chapter.
- B. No change shall be made of the solvent in the equipment to a solvent of a more hazardous class unless written permission for such change shall first have been obtained from the Fire Marshal or CEO.

ARTICLE XII, Explosives

§ 64-44. Scope.

This article applies to all explosives except small arms ammunition and fireworks.

§ 64-45. Permit required.

A. The manufacture of explosives is prohibited within the municipality. A permit issued pursuant to this Chapter shall be obtained from the Fire Marshal or CEO to have, keep, use, or store any explosives.

B. Whenever blasting is to be conducted in the vicinity of gas, electric, water, fire alarm, telephone, telegraph or steam utilities, the blaster shall notify the appropriate representatives of such utilities at least 24 hours in advance of the blasting, specifying the location and intended time of such blasting. Verbal notice shall be confirmed with written notice. In an emergency, this time limit may be waived by the Fire Marshal.

ARTICLE XIII, Fireworks

§ 64-47. Permit required.

No person shall engage in or allow the display of any fireworks or pyrotechnics display without first obtaining a permit issued pursuant to this Chapter. A completed application for Display of Fireworks must be received by the Town Clerk a minimum of 30 days prior to the date of display.

ARTICLE XIV, Flammable and Combustible Liquids

§ 64-49. Scope.

This article shall apply to the storage, handling and use of flammable liquids as defined in Article II except that it shall not apply to the transportation of flammable liquids when in conformity with Interstate Commerce Commission regulations or regulations lawfully on file with and approved by the Interstate Commerce Commission.

§ 64-50. Classes of flammable liquids; determination of flash point.

A. Flammable liquids shall be divided into three classes as follows:

- (1) Class I shall include those having, flash points at or below 20° F.
- (2) Class II shall include those having flash points above 20° F. but at or below 70° F.
- (3) Class III shall include those having flash points above 70° F.

§ 64-51. Permit required.

A permit issued pursuant to this Chapter shall be obtained for any of the following:

- A. Storage, handling or use of Class I or Class II flammable liquids in excess of one gallon in any building subject to the provisions of this Chapter, or in excess of 10 gallons outside of any building, except that no permit shall be required for the following:

- (1) For the storage or use of flammable liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant.
- (2) For the storage or use of paints, oils, varnishes or similar flammable mixtures when such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days.
- B. Storage, handling or use of Class III flammable liquids in excess of 25 gallons in a building, or in excess of 60 gallons outside of a building.
- C. The manufacture, processing, blending or refining of flammable liquids.
- D. The storage of flammable liquids in stationary tanks.
- E. The mobile fueling of vehicles
- F. The mobile fueling of watercraft or boats whether in dock storage or at any dock, marina or in any open water way where mobile fuel truck is parked on property located in the Town of Riverhead.
- G. The mobile fueling of aircraft

ARTICLE XV, Automotive Repair Facility

§ 64-52. Conformance.

Automotive Repair Facilities shall conform to all other applicable requirements of this chapter as well as to the provisions of this article.

§ 64-53. Permit required.

No person shall use any building, shed or enclosure as a place of business for the purpose of servicing or repairing any motor vehicle therein without a permit issued pursuant to this Chapter.

§ 64-54. Cleaning with flammable liquids.

No flammable liquid with a flash point below 100° F. shall be used in any garage for washing parts or removing grease or dirt unless in a special closed machine approved for the purpose or in a separate well-ventilated room enclosed by walls having a fire-resistance rating of not less than two hours and with openings therein protected by approved fire doors or fire windows and with no opening from such room to any upper or lower story.

ARTICLE XVI, Storage and Handling of Combustible Materials

§ 64-55. Handling of readily combustible materials.

No person making, using, storing or having in charge or under his control any shavings, excelsior, rubbish, sacks, bags, litter, hay, straw, wood-chips, combustible waste materials or automotive tires shall fail or neglect at the close of each day to cause all such material which is not completely baled and stacked in an orderly manner to be removed from the building or stored in suitable vaults or in metal or metal-lined, covered receptacles or bins. The Fire Marshal or CEO shall require suitable baling presses to be installed in stores, apartment buildings, factories and similar places where accumulations of paper and waste materials are not removed at least every second day.

§ 64-56. Storage of readily combustible materials.

- A. Permit required. No person shall store in any building or upon any premises in excess of 2,500 cubic feet gross volume of combustible empty packing cases, boxes, barrels or similar containers, or rubber tires or baled cotton, rubber or cork, wood pulp or wood-chips or other similarly combustible material without a permit issued pursuant to this Chapter.
- B. Storage requirements.
 - (1). Storage in buildings shall be orderly and shall not be within two feet of the ceiling nor so located as to endanger exit from the building. Storage in the open shall not be more than 20 feet in height, shall be so located with respect to adjacent buildings as not to constitute a hazard and shall be compact and orderly.
 - (2). Storage and/or processing of wood-chips or forest products shall be in accordance with the provisions of NFPA 46, Recommended Safe Practice for Storage of Forest Products.

ARTICLE XVII, Lumberyards and Woodworking Plants

§ 64-57. Permit required.

- A. No Lumberyard, Woodworking Plant or other facility storing or selling wood or lumber products shall be maintained, operated or used as such without a permit issued pursuant to this Chapter.

§ 64-58. Open yard storage.

- A. Lumber shall be piled with due regard to stability of piles and in no case higher than 20 feet.
- B. Driveways between and around lumber piles shall be at least 15 feet wide and maintained free from accumulation of rubbish, equipment or other articles or materials.
- C. Driveways shall be so spaced that a maximum grid system unit of 50 feet by 150 feet is produced.
- D. Permanent lumber storage, operating under a permit, shall be surrounded with a suitable fence at least six feet high, unless storage is within a building.

§ 64-59. Operational fire hazards.

Smoking shall be prohibited except in specified locations in buildings. Large "No Smoking" signs shall be painted on exterior building walls and on signs erected at driveway edges. "No Smoking" signs in accordance with §64-16, shall be posted throughout all buildings except in specific locations designated as safe for smoking purposes.

ARTICLE XVIII Welding and Cutting

§ 64-61. Scope.

Welding or cutting shall include gas, electric-arc or flammable liquid welding or cutting or any combination thereof.

§ 64-62. Permit required.

- A. A permit issued pursuant to this Chapter shall be required of each company, corporation, partnership or owner-operator performing welding or cutting operations, except as provided in Subsection B of this section. This permit shall not be required for each welding or cutting job location.
- B. A permit shall not be required of any company, corporation, partnership or owner-operator when that entity has any valid permit from the Town Fire Marshal or CEO and such welding or cutting is incidental to the purposes for which said permit is issued.
- C. Application for a permit required by this article shall be made by the company, corporation, partnership or owner-operator performing the welding or cutting operation or by his duly authorized agent.

§ 64-63. Operations.

All welding and cutting operations shall be conducted in accordance with the appropriate standards of the NFPA.

ARTICLE XIX, Hot Tar Work for Building Roof Repairs

§ 64-64. Permit required.

- A. A permit issued pursuant to this Chapter shall be required of each company, corporation, partnership or owner-operator performing hot tar work for building roof repairs. The permit must be displayed at the job site.
- B. Based on the scope of work, the Fire Marshal or CEO shall determine the number and type of required portable fire extinguishers to be at the job site. All fire extinguishers must have affixed a valid inspection tag showing the date and name of inspection firm.
- C. The Tar Kettle shall be attended at all times when it is being fired and for an adequate time thereafter to ensure the tar has cooled to a safe temperature. At no time shall the tar kettle be operated on the roof of an occupied building.
- D. A fire watch shall be maintained on the roof and on the underside of the roof at the job site for not less than one hour following the last application of hot tar. The responsible workman for the job site shall ensure all areas are cool and there are no fires on or under the roof prior to leaving the job site.

ARTICLE XX, Liquefied Petroleum Gases

§ 64-65. Permit required; record of installations.

- A. Installation permit issued pursuant to this Chapter shall be obtained for each installation of liquefied petroleum gas employing a container or an aggregate of interconnected containers of over 2,000 gallons water capacity, and for each permanent installation, irrespective of size of containers, made at buildings

designated as places of public assembly and for retail propane filling stations. Prior to making such an installation, the installer shall submit plans to the Fire Marshal, and if compliance with requirements of this chapter is shown by said plans, a permit shall be issued.

- B. Installers shall maintain a record of all installations for which a permit is not required by Subsection A above (but not including installation of gas-burning appliances and replacing of portable cylinders) and have it available for inspection by the Fire Marshal.
- C. An annual Storage permit issued pursuant to this Chapter shall be obtained for each installation of liquefied petroleum gas employing a container or an aggregate of interconnected containers where the total storage capacity is in excess of 2,000 gallons water capacity, and for each permanent installation, irrespective of size of containers, made at buildings designated as places of public assembly and for retail propane filling stations. All such storage locations shall be maintained in accordance with the New York State Fire Prevention and Building code, applicable provisions of the NFPA and permit conditions as issued by the Town of Riverhead

§ 64-66. Inspection of installations.

It shall be the duty of the Fire Marshal or CEO to inspect liquefied petroleum gas installations, storage locations and retail propane sale locations to determine if the provisions of this chapter have been complied with.

ARTICLE XXI, Places of Public Assembly

§ 64-67. Permit required.

A. No place of public assembly, as defined in §64-7 of this Chapter, shall be maintained, operated or used as such without a permit issued pursuant to this Chapter, except that no permit shall be required for any place of assembly used solely as a place of religious worship.

ARTICLE XXII, Posting of Street Address

§ 64-68 Legislative intent

It is the purpose of this article to establish a uniform street numbering system for all land parcels within the town and to require the position of such assigned numbers to the exclusion of all others in order to give each land parcel an exclusive and readily locatable address. While it is intended primarily to assure the quick and certain response of police, fire, ambulance and other emergency services to their desired destination, the establishment of this uniform numbering system will also assist social, postal and commercial agencies, as well as residents and visitors, who will also be able to ensure that they and their goods and services arrive and are delivered in a prompt and efficient manner.

§ 64-69 Numbering System established

- A. There is hereby established a uniform street address numbering system for all land parcels in the town in accordance with the maps promulgated by and on file with the office of the Town Assessor and the Town Planner. The Town Planner shall prepare such maps based upon the Suffolk County Tax Map system as directed by the Town Board. The Planner shall use a uniform system for the assignment of street address numbers to all land parcels within the town and shall correct and update the maps recording such numbers as necessary to keep the numbering system uniform, accurate and universal.
- B. Application may be made to the Planner to change or modify assigned street numbers due to an error in the original assignment of the number or where there is a conflict or dispute as to the proper number to be assigned to any land parcel for other good cause. Such application shall state the reason for the change in numbering and how the new numbering will be consistent with the numbering system in place. The Planner shall determine the number of such parcel, which decision shall be final.
- C. In establishing the aforesaid street address numbering system, the Planner may also assign names to private roads or rights-of-way providing access to subdivided lands which are unnamed on the Suffolk County Tax Maps. The Planner, in naming such private road or right-of-way, shall take into account the name historically used by the owners, but in no case shall a road name be duplicated in the applicable fire district. Applications to change or modify the name of a private road or right-of-way made to the Planner in the same form and manner as provided in Subsection B. The naming of the private road or right-of-way by the Planner shall not be construed to be an acceptance of said road or right-of-way into the town highway system.

§ 64-70 Posting of Numbers

- A. Any owner of an improved land parcel in the Town of Riverhead for which a street address number has been established on the map pursuant to 64-69 shall conspicuously post and display said number in the manner set forth in 64-71
- B. For new construction, the street address number shall be posted and displayed within five days of the issuance of a building permit. No certificate of occupancy or compliance shall be issued unless and until the street address number is posted and displayed in accordance with the provisions of this chapter. Development applications made to the Building Department, Planning Board, Zoning Board of Appeals or Conservation Board shall indicate street address numbers as a condition of approval of the final map. The final map shall be referred to the Planner to verify the proposed numbering system.
- C. It shall be unlawful to post or maintain any number on any construction site or completed building other than the street address number designed by the Town Planning Department pursuant to 64-69.

§ 64-71 Display of numbers; style and size

A. Manner of display.

1. During construction period. The owner of a land parcel for which a building permit has been issued shall have the street address number displayed on a sign or post located at the front of the property.
2. Existing and newly compelled buildings. The owner of an existing building or newly completed building shall have the street address number displayed by permanent affixing or painting numerals to the front of the building. Where the building is not close enough to the street or is not readily visible from the street, the street address number shall be permanently affixed to a sign, post or mailbox located at the front parcel or lot where the building is situated.

B. Style and size of numbers. The numerals used to display the street address number of the building shall be painted on a plaque or the front of the building or made of metal or other durable material. The numbers shall be at least four inches in height. All street numbers shall be displayed so as to be easily seen from the street by both pedestrians and drivers of vehicles.

§ 64-72 Tax bill, compliance deadline

- A. The street address number assigned to a land parcel in the town pursuant to 64-69 shall be indicated on the property tax bill applicable to said parcel.
- B. The deadline for compliance with this article shall be December 31, 2000.

§ 64-73 Enforcement

This article shall be enforced as permitted by the Municipal Home Rule Law, the Fire Marshal, the Building Inspector, CEO, any peace officer when acting pursuant to his or her special duties, any police officer in the employ of or under contract to the town and any other individual duly authorized by a Town Board resolution.

ARTICLE XXIV, Rapid Access Key Boxes

§ 64-74. Effective date

This article shall be effective as of the date of enactment of this Chapter and shall apply to new construction and building alterations subject to Chapter E of the New York State Uniform Fire Prevention and Building Code.

§ 64-75 Mandatory key boxes for Fire Suppression and Standpipe Systems

When a building within the Town Of Riverhead is protected by an automatic fire suppression or standpipe system, it shall be equipped with a key box. The key box shall be at a location approved by the Town Fire Marshal. The key box shall be a UL type and size approved by the Fire Marshal.

§ 64- 76 Mandatory key boxes for Automatic Fire Alarm Systems

When a building within the Town of Riverhead is protected by an automatic fire alarm and/or access to or within a building, or an area within that building., is unduly difficult because of secured openings, and where immediate access is necessary for life saving or firefighting purposes, the Fire Marshal may require said building be equipped with a key box. The key box shall be at a location approved by the Town Fire Marshal. The key box shall be a UL type and size approved by the Fire Marshal.

§ 64-77 Key Box Tamper Switch

The key box shall be protected by connection to a burglar alarm system or as a trouble zone on an automatic fire alarm system, which shall provide notice to the building owner or his agent whenever the key box is opened.

§ 64-78 Security Padlocks

When a property is protected by a locked fence or gate and where immediate access to the property is necessary for life saving or firefighting purposes, the Town Fire Marshal may require a security padlock to be installed in a location approved by the Fire Marshal or CEO. The padlock shall be a type and size approved by the Fire Marshal or CEO.

§ 64-79 Rapid Entry Key Boxes

The rapid entry key boxes shall contain the following:

- A. Keys to locked points of egress, whether in interior or exterior of such buildings
- B. Keys to the locked mechanical rooms
- C. Keys to the locked elevator control rooms
- D. Keys to any other areas that may be required by the Fire Marshal or Fire Chief
- E. A card containing the names of emergency contact people for said building and current phone numbers for contacting those people.

In addition, floor plans, lists of hazardous chemicals, Material Safety Data Sheets or other vital emergency information may be required.

§ 64-80. Penalties for offenses.

- A. Any person who shall violate any of the provisions of this CHAPTER or fail to comply with the provisions thereof, or who shall violate or fail to comply with any order made there under shall be guilty of a misdemeanor, punishable by a fine of not less than \$250 nor more than \$2,500 or by imprisonment for not more than 15 days, or by both such fine and imprisonment.
- B. The imposition of a penalty for any violation shall not excuse the violation or allow it to continue, and all such persons shall be required to correct or remedy such violations or defects within a reasonable time, and when not otherwise specified, a

Adopted

March 20, 2001

Town of Riverhead

Resolution # 311

AUTHORIZES ATTENDANCE OF ONE DETECTIVE AT TRAINING CONFERENCE

COUNCILMAN LULL offered the following resolution, was seconded by COUNCILMAN DENSIESKI

WHEREAS, Police Chief Grattan has requested authorization from the Riverhead Town Board for the attendance of one Detective at a Training Conference;

AND WHEREAS, the Training Conference will be held in Pittsburgh, Pennsylvania, on March 19th, 20th, 21st, 22nd and 23rd, 2001.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the attendance of one Detective at the aforementioned training conference; and

BE IT FURTHER RESOLVED that the Town Board authorizes reimbursement of expenses upon submission of proper receipts; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Chief Grattan and the Office of Accounting.

THE VOTE
Densieski Yes No Cardinale Yes No
Kent Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

Adopted

3/20/01

TOWN OF RIVERHEAD

Resolution # 312

AUTHORIZES THE SUPERVISOR TO EXECUTE RETAINER AGREEMENT WITH JAMES F. GESUALDI

COUNCILMAN LULL offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

WHEREAS, the Riverhead Town Board desires to retain the services of James F. Gesualdi in connection with the review and revision of the procedural provisions of the environmental review and zoning chapters of the Riverhead Town Code.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute a retainer agreement for the aforementioned services of James F. Gesualdi; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Office of the Supervisor; Planning Department and the Office of the Town Attorney.

THE VOTE

Densleski Yes No Cardinale Yes No

Kent Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

3/20/01

Adopted

TOWN OF RIVERHEAD

Resolution # 313

AUTHORIZES THE RETENTION OF DVIRKA AND BARTILUCCI, CONSULTING ENGINEERS IN CONNECTION WITH HEADRIVER, LLC (REVIEW OF DEIS)

COUNCILMAN KENT offered the following resolution, was seconded by

COUNCILMAN CARDINALE:

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of Riverhead hereby authorizes the retention of Dvirka and Bartilucci, Consulting Engineers in connection with the review of the DEIS for the proposed Headriver, LLC Lumberyard Complex (see rate schedule attached herewith); and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Dvirka and Bartilucci, Consulting Engineers, 330 Crossways Park Drive, Woodbury, New York, 11791 2M Group, Attn: Thomas J. McGovern, P.E., 575 Broad Hollow Road, Melville, New York, 11747; Richard Ehlers, Esq.; Michael Reichel, Sewer District Superintendent; Ken Testa, P.E. and the Office of the Town Attorney.

THE VOTE
Densieski Yes ___ No ___ Cardinalo Yes ___ No ___
Kent Yes ___ No ___ Kull Yes ___ No ___
Kozaklewicz Yes ___ No ___
THE RESOLUTION WAS WAS NOT ___
THEREUPON DULY ADOPTED

03/14/01

DVIRKA AND BARTILUCCI CONSULTING ENGINEERS
DIRECT LABOR

CURRENT JOB CLASSIFICATIONS
AND
DIRECT HOURLY SALARY RATES

(Effective July 1, 2000 through June 29, 2001)

<u>Job Classification</u>	<u>Rate (\$ Hr.)</u>	
	<u>Min.</u>	<u>Max.</u>
Technical Principal/ V.P. Project Manager	52	96
Senior Associate/Associate	34	51
Director of Special Projects	45	45
Principal Engineer/Principal Scientist	43	50
Senior Scientist	50	55
Senior Engineer/Engineer III	28	40
Construction Resident Engineer	25	39
Senior Geologist/Geologist III	31	39
Engineer II/Scientist II/Geologist II	21	32
Engineer I/Scientist I/Geologist I	14	26
Specialist II	23	25
Instrumentation Engineer	22	23
Eng Tech II/ Eng Tech I/ Inspector	10	27
Surveyor	16	30
Senior Designer	27	40
Designer II	24	33
Designer I	20	23
Drafter II	22	26
Drafter I	18	19
Eng Aide II/Eng Aide I	10	25
Senior Word Processor	17	25
Word Processor II	16	19
Word Processor I	12	16

Note: Other classifications may be used as required by the CONSULTANT. Rates may be changed yearly. Billing rate is 2.85 times direct hourly salary rate.

DLMINMAX . DOC

3/20/01

Adopted

TOWN OF RIVERHEAD

Resolution # 314

APPROVES MUNICIPAL CONTRACTING CORPORATION AS DRAINLAYER FOR RIVERHEAD SEWER DISTRICT

COUNCILMAN DENSIESKI offered the following resolution, was seconded by

COUNCILMAN CARDINALE

WHEREAS, pursuant to Section 88-3 of the Riverhead Town Code, Municipal Contracting Corporation has submitted a request to become an authorized drainlayer with the Town of Riverhead Sewer District; and

WHEREAS, a letter of credit has been posted and the Town Attorney has reviewed and approved same as to form.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Riverhead hereby approves, Municipal Contracting Corporation as an authorized drainlayer with the Town of Riverhead Sewer District; and further

RESOLVED, that this approval is subject to the receipt of a certificate of insurance naming the Town of Riverhead as an additional insured; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Municipal Contracting Corporation, 1155 Montauk Highway, East Patchogue, New York, 11772; Michael Reichel, Sewer District and the Accounting Department.

THE VOTE

Densieski Yes No Cardinale Yes No

Kent Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

Adopted

MARCH 20, 2001

TOWN OF RIVEHREAD

Resolution # 315

AMENDS TBR #30-01

Councilman Lull offered the following resolution, which was seconded by Councilman Cardinale.

WHEREAS, TBR #30-01 set the Towing and Storage Fees of abandoned vehicles as per Section 101-22 of the Riverhead Town Code; and

WHEREAS, the Chief of Police has recommended that the fee for towing should be renamed and called an Impound Fee; and

WHEREAS, the current fee does not cover the Town's cost and it is recommended to increase this fee from \$100 to \$225.

NOW, THEREFORE, BE IT RESOLVED, that effective 3/20/01 all future Town Impounds will have a flat fee of \$225. And the storage fee will remain unchanged at \$20/day; and

BE IT FURTHER RESOLVED, that Impound Fees will be waived in any instance where a law enforcement agency takes a vehicle into custody for investigative purposes or in any case where a vehicle is recovered after having been reported stolen to any law enforcement agency; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to the Chief of Police, the Municipal Garage and the Office of Accounting.

THE VOTE
Densieski Yes No Cardinale Yes No
Kent Yes No Lull Yes No
Kozakiewicz Yes No
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

MARCH 20, 2001

Adopted⁶¹⁰

TOWN OF RIVERHEAD

RESOLUTION # 316

AUTHORIZES THE ESTABLISHMENT OF A PETTY CASH ACCOUNT
FOR THE RIVERHEAD JUSTICE COURT

COUNCILMAN LULL

Offered the following

resolution, which was seconded by COUNCILMAN KENT

WHEREAS, the Town Board hereby authorizes the establishment of a imprest petty cash account for the Riverhead Justice Court in the amount of One Hundred dollars (\$100.00); and

WHEREAS, that said petty cash account is assigned to Allen M. Smith, Town Justice, and;

BE IT RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to the Riverhead Justice Court and the Office of Accounting.

THE VOTE

Cardinale Yes No

Densieski Yes No

Kent Yes No

Lull Yes No

Kozakiewicz Yes No

3/20/01

Adopted

TOWN OF RIVERHEAD

Resolution # 317

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE TO CONSIDER THE PURCHASE OF DEVELOPMENT RIGHTS OF A PARCEL(S) LOCATED IN THE TOWN OF RIVERHEAD (VERNON F. WELLS JR.)

COUNCILMAN KENT

_____ offered the following resolution, was seconded by

COUNCILMAN LULL

:

WHEREAS, pursuant to the provisions of §247 of the New York State General Municipal Law, fee simple owners of agricultural lands may elect to sell and the Town of Riverhead may elect to purchase development rights associated with said lands; and be it further

WHEREAS, Vernon F. Wells Jr. has expressed a desire to sell the development rights of 20.1 acres of agricultural lands located on Sound Avenue, Riverhead, New York, further described as Suffolk County Tax Map #0600-45-2-2.1 to the Town of Riverhead.

NOW THEREFORE BE IT RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the attached public notice to consider the purchase of development rights of agricultural lands owned by Vernon F. Wells Jr., once in the News Review, hereby designated as the official newspaper for this purpose, and also to cause a copy of the proposed purchase of development rights to be posted on the sign board of the Town in the Office of the Town Clerk; and be it further

RESOLVED, that the Town Clerk be and is hereby directed to forward a copy of this resolution to Vernon F. Wells Jr., 5004 Sound Avenue, Riverhead, New York, 11901; the Farmland Preservation Committee; Peconic Land Trust, Attn: Julie T. Wesnofske, 296 Hampton Road, P.O. Box 2088, Southampton, New York, 11969; the Planning Department; the Assessor's Office; the Tax Receiver's Office; the Accounting Office and the Town Attorney's Office.

THE VOTE
Densieski Yes ___ No ___ Cardinalo Yes ___ No ___
Kent Yes ___ No ___ Lull Yes ___ No ___
Kozakiewicz Yes ___ No ___
THE RESOLUTION WAS WAS NOT
THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that a public hearing will be held on the 17th day of April, 2001 at 7:25 o'clock p.m., at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York to hear all interested persons to consider the purchase of development rights of 20.1 acres of agricultural lands owned by Vernon F. Wells Jr. located on Sound Avenue, Riverhead, New York, further described as Suffolk County Tax Map #0600-45-2-2.1, pursuant to §247 of the New York State General Municipal Law and Chapter 44 of the Riverhead Town Code.

Dated: Riverhead, New York
March 20, 2001

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD

BARBARA GRATTAN, Town Clerk

3/20/01

Adopted

TOWN OF RIVERHEAD

Resolution # 318

AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT BETWEEN TOWN OF RIVERHEAD AND FUNDAMENTAL BUSINESS SERVICE, INC. ("FBS")

COUNCILMAN LULL

offered the following resolution, was seconded by

COUNCILMAN DENSIESKI :

WHEREAS, the Town of Riverhead wishes to engage the services of a company providing data processing and collection services to assist in the enforcement and collection of outstanding Town parking violations; and

WHEREAS, FBS has been selected to perform these services.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute an agreement between the Town of Riverhead and FBS in connection with providing data processing and collection services to assist in the enforcement and collection of outstanding Town parking violations; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Fundamental Business Services, Inc., 14 Front Street, Hempstead, New York, 11550; Hon. Richard A. Ehlers; Hon. Allen M. Smith; the Office of the Town Attorney and the Office of Accounting.

THE VOTE

Densieski Yes No Cardinale Yes No

Kent Yes No Lull Yes No

Kozakiewicz Yes No

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

COUNCILMAN LULL

offered the following Resolution which was seconded by

COUNCILMAN KENT

Adopted

FUND NAME		CD - 3/15/01	CHECKRUN TOTALS	GRAND TOTALS
GENERAL TOWN	001	\$ 6,500,000.00	\$ 73,172.95	\$ 6,573,172.95
PARKING METER	002	\$ -	\$ -	\$ -
AMBULANCE	003	\$ -	\$ -	\$ -
POLICE ATHLETIC LEAGUE	004	\$ -	\$ -	\$ -
TEEN CENTER	005	\$ 10,000.00	\$ 29.77	\$ 10,029.77
RECREATION PROGRAM	006	\$ 50,000.00	\$ 1,385.49	\$ 51,385.49
SR NUTRITION SITE COUNCIL	007	\$ -	\$ -	\$ -
D.A.R.E. PROGRAM FUND	008	\$ -	\$ 506.49	\$ 506.49
CHILD CARE CENTER BUILDING FUND	009	\$ 20,000.00	\$ 1,488.64	\$ 21,488.64
AG-FEST COMMITTEE FUND	021	\$ 1,000.00	\$ 3,143.00	\$ 4,143.00
YOUTH COURT SCHOLARSHIP FUND	025	\$ -	\$ -	\$ -
SRS DAYCARE BUILDING FUND	027	\$ -	\$ -	\$ -
COMMUNITY P.E.T.S. SHELTER	028	\$ 8,000.00	\$ 2,013.00	\$ 10,013.00
ANIMAL SPAY & NEUTERING FUND	029	\$ 1,000.00	\$ -	\$ 1,000.00
EDZ FUND	030	\$ 20,000.00	\$ 562.50	\$ 20,562.50
HIGHWAY	111	\$ 475,000.00	\$ 25,926.11	\$ 500,926.11
WATER	112	\$ 2,150,000.00	\$ 3,326.67	\$ 2,153,326.67
REPAIR & MAINTENANCE	113	\$ 605,000.00	\$ -	\$ 605,000.00
RIVERHEAD SEWER DISTRICT	114	\$ 1,225,000.00	\$ 41,806.74	\$ 1,266,806.74
REFUSE & GARBAGE COLLECTION	115	\$ 450,000.00	\$ 468.68	\$ 450,468.68
STREET LIGHTING	116	\$ 305,000.00	\$ 3,344.66	\$ 308,344.66
PUBLIC PARKING	117	\$ 125,000.00	\$ 566.19	\$ 125,566.19
BUSINESS IMPROVEMENT DISTRICT	118	\$ 35,000.00	\$ 138.14	\$ 35,138.14
TOR URBAN DEV CORP TRUST ACCT	119	\$ -	\$ -	\$ -
AMBULANCE DISTRICT	120	\$ 200,000.00	\$ 6,367.62	\$ 206,367.62
CALVERTON SEWER DISTRICT	124	\$ 110,000.00	\$ 2,210.79	\$ 112,210.79
WORKER'S COMPENSATION FUND	173	\$ 840,000.00	\$ -	\$ 840,000.00
HOSPITALIZATION SELF INSURANCE	174	\$ -	\$ -	\$ -
RISK RETENTION FUND	175	\$ -	\$ 30,000.02	\$ 30,000.02
UNEMPLOYMENT INSURANCE FUND	176	\$ -	\$ -	\$ -
MAIN STREET REHAB PROGRAM	177	\$ -	\$ -	\$ -
REVOLVING LOAN PROGRAM	178	\$ -	\$ -	\$ -
RESIDENTIAL REHAB	179	\$ -	\$ -	\$ -
DISCRETIONARY/SMALL CITIES	180	\$ -	\$ -	\$ -
CDBG CONSORTIUM ACCOUNT	181	\$ -	\$ -	\$ -
URBAN DEVEL CORP WORKING	182	\$ -	\$ -	\$ -
RESTORE	184	\$ -	\$ -	\$ -
PUBLIC PARKING DEBT	381	\$ 20,000.00	\$ -	\$ 20,000.00
SEWER DISTRICT DEBT	382	\$ 5,000.00	\$ -	\$ 5,000.00
WATER DEBT	383	\$ 125,000.00	\$ 17,691.97	\$ 142,691.97
GENERAL FUND DEBT SERVICE	384	\$ 200,000.00	\$ 73,095.20	\$ 273,095.20
SCAVENGER WASTE DEBT	385	\$ 157,000.00	\$ -	\$ 157,000.00
COMM DEVEL AGENCY CAP PROJECT	405	\$ -	\$ -	\$ -
TOWN HALL CAPITAL PROJECTS	406	\$ -	\$ 76,105.86	\$ 76,105.86
EIGHT HUNDRED SERIES	408	\$ -	\$ -	\$ -
WATER IMPROVEMENT CAP PROJ	409	\$ -	\$ -	\$ -
NUTRITION CAPITAL IMPS	441	\$ -	\$ -	\$ -
CHIPS	451	\$ 30,000.00	\$ -	\$ 30,000.00
YOUTH SERVICES	452	\$ -	\$ -	\$ -
SENIORS HELPING SENIORS	453	\$ -	\$ -	\$ -
EISEP	454	\$ -	\$ 104.88	\$ 104.88
SCAVENGER WASTE CAP PROJ	470	\$ -	\$ -	\$ -
MUNICIPAL FUEL FUND	625	\$ 180,000.00	\$ 2,258.68	\$ 182,258.68
MUNICIPAL GARAGE	626	\$ 3,000.00	\$ 5,240.76	\$ 8,240.76
TRUST & AGENCY	*735*	\$ -	\$ -	\$ -
SPECIAL TRUST	736	\$ 170,000.00	\$ -	\$ 170,000.00
COMMUNITY PRESERVATION FUND	737	\$ 198,000.00	\$ -	\$ 198,000.00
CDA-CALVERTON	914	\$ -	\$ 165,814.21	\$ 165,814.21
COMMUNITY DEVELOPMENT AGENCY	916	\$ -	\$ -	\$ -
JOINT SCAVENGER WASTE	918	\$ -	\$ 10,544.53	\$ 10,544.53
CENTRAL CLEARING ACCOUNT	989	\$ -	\$ -	\$ -
TOTALS		\$ 14,218,000.00	\$ 537,313.55	\$ 14,755,313.55

Adopted

3/20/01

TOWN OF RIVERHEAD

Resolution # 320

AUTHORIZES TOWN CLERK TO PUBLISH AND POST PUBLIC NOTICE OF PUBLIC HEARING TO CONSIDER THE CAPITAL IMPROVEMENTS TO THE SUFFOLK THEATER

COUNCILMAN KENT

_____ offered the following resolution, was seconded by

COUNCILMAN CARDINALE

NOW THEREFORE BE IT HEREBY RESOLVED, that the Town Clerk is hereby authorized to post and publish the attached public notice to consider the capital improvements to Suffolk Theater at East Main Street, Riverhead, New York at an anticipated cost of \$4,000,000.00; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Office of the Supervisor; Ken Testa, P.E.; the Office of the Town Attorney and the Office of Accounting.

THE VOTE

Densleski Yes ___ No ___ Cardinale Yes ___ No ___

Kent Yes ___ No ___ Lull Yes ___ No ___

Kozakiewicz Yes ___ No ___

THE RESOLUTION WAS WAS NOT

THEREUPON DULY ADOPTED

**TOWN OF RIVERHEAD
PUBLIC NOTICE**

PLEASE TAKE NOTICE that a public hearing will be held before the Town Board of the Town of Riverhead, at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, on the 17th day of April, 2001 at 7:20 o'clock p.m. to consider the capital improvements to Suffolk Theater at an anticipated cost of \$4,000,000.00.

Dated: Riverhead, New York
March 6, 2001

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF RIVERHEAD**

BARBARA GRATTAN, Town Clerk